

By Mr. ELLIOTT: A memorial of the general assembly of the State of South Carolina, advocating the improvement of the waterway between North Santee and South Santee rivers, South Carolina—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BINGHAM: A bill (H. R. 13636) granting a pension to Edward Bryan—to the Committee on Invalid Pensions.

By Mr. BARNEY: A bill (H. R. 13637) granting an increase of pension to William H. Bolson—to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 13638) granting a pension to O. Gustave Roedel—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 13639) for pension to Mabel H. Lazear—to the Committee on Pensions.

By Mr. FOWLER: A bill (H. R. 13640) granting a pension to Alexander Sandford Utter, alias Alexander M. Sandford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13641) granting a pension to Malinda Van Pelt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13642) granting a pension to Oscar W. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13643) granting an increase of pension to William H. Van Riper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13644) granting an increase of pension to Christine B. Knapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13645) granting an increase of pension to Katharina Becker—to the Committee on Pensions.

By Mr. GRIFFITH: A bill (H. R. 13646) for the relief of John B. Rall—to the Committee on Military Affairs.

By Mr. GROSVENOR: A bill (H. R. 13647) to exempt two boilers built by Middleport Boiler Works from certain provisions of section 4434, Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

By Mr. HENRY of Mississippi: A bill (H. R. 13648) for the relief of Dr. D. R. Lemman—to the Committee on War Claims.

By Mr. LAWRENCE: A bill (H. R. 13649) granting an increase of pension to John W. Gibbs—to the Committee on Invalid Pensions.

By Mr. MOON (by request): A bill (H. R. 13650) for the relief of Mrs. E. L. Eblen—to the Committee on War Claims.

By Mr. RAY of New York: A bill (H. R. 13651) granting a pension to Peter Mulligan—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 13652) granting a pension to John Beeson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13653) for the relief of Enoch B. Chamberlin—to the Committee on Claims.

Also, a bill (H. R. 13654) releasing unto W. J. Cosgrove, Mary Cosgrove, Mary Ellen Cosgrove, and Annie Cosgrove any rights the United States may have in certain lands in Pensacola, Fla.—to the Committee on Claims.

By Mr. TATE: A bill (H. R. 13655) to pension Hix Patterson—to the Committee on Pensions.

By Mr. VAN VOORHIS: A bill (H. R. 13656) granting an increase of pension to Silas Stotts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13657) granting a pension to Mary B. Evans—to the Committee on Invalid Pensions.

By Mr. RYAN of New York: A bill (H. R. 13658) granting a pension to Henry Miller—to the Committee on Invalid Pensions.

By Mr. THAYER: A bill (H. R. 13659) to remove the charge of desertion from the military record of Peter Tatro, alias John Goodro—to the Committee on Military Affairs.

By Mr. DAVIDSON: A bill (H. R. 13662) granting a pension to Sarah B. Ward—to the Committee on Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13663) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the Primitive Baptist Church, of Huntsville, Ala., for the use and occupation of said church building for Government purposes by the United States military authorities during the late war, and all claims for damages resulting from the appropriation to Government use of any of the furnishings or materials pertaining to said building, and for damage to said building—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARNEY: Petition of keeper and surfmen of Sheboygan (Wis.) life-saving station, for the passage of the bill to increase their pay—to the Committee on Interstate and Foreign Commerce.

By Mr. BRICK: Petition of citizens of South Bend, Ind., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. S. A. DAVENPORT: Petition of Mrs. A. H. Franciscus and other women, in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. FOWLER: Petition of citizens of Plainfield, N. J., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. GARDNER of New Jersey: Petitions of keepers and surfmen of life-saving stations at Chedwick, Island Beach, Spring Lake, and Great Egg, New Jersey, asking for increase of pay for keepers and surfmen in the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFITH: Statement of Lieut. Joseph G. Marshall, in support of House bill for the relief of John B. Rall—to the Committee on Military Affairs.

By Mr. HOFFECKER: Papers to accompany House bill for the establishment of a beacon light near Grubbs Landing, Delaware River, Delaware—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: Petition of Iowa College, Grinnell, Iowa, favoring the passage of House bill No. 11350, to establish the national standardizing bureau—to the Committee on Coinage, Weights, and Measures.

By Mr. McRAE: Affidavits of C. M. Adams and M. E. Adams, to accompany House bill No. 12589, granting a pension to Lucinda E. Howard—to the Committee on Invalid Pensions.

By Mr. RAY of New York: Petition of citizens of Binghamton, N. Y., relating to traffic in alcoholic liquors, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of James Orton, of Caroline Center, N. Y., for a pension—to the Committee on Invalid Pensions.

By Mr. THAYER: Petition of Peter Tatro, alias John Goodro, for the removal of the charge of desertion against him—to the Committee on Military Affairs.

By Mr. TAYLER of Ohio: Petition of citizens of Youngstown, Ohio, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of F. J. Ullrich and other druggists in the State of Ohio, for the repeal of the tax on proprietary medicines—to the Committee on Ways and Means.

Also, petition of Butler Grange, No. 993, Patrons of Husbandry, State of Ohio, favoring House bill No. 3717, to secure State control of imitation dairy products—to the Committee on Agriculture.

Also, petition of Butler Grange, No. 993, Patrons of Husbandry, of Ohio, favoring the passage of House bill No. 1439, amending the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. ZENOR: Paper to accompany House bill for the relief of John W. Dougherty, private Company C, Twenty-second Regiment Missouri Volunteers—to the Committee on Invalid Pensions.

SENATE.

FRIDAY, January 18, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

CREDENTIALS.

Mr. LODGE presented the credentials of GEORGE FRISBIE HOAR, chosen by the legislature of the State of Massachusetts a Senator from that State for the term beginning March 4, 1901; which were read and ordered to be filed.

GEORGE W. HOTT.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of George W. Hott, administrator de bonis non of William Hughes, deceased, vs. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims, relating to the vessel ship *Active*, Micajah Gardner, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims, relating to the vessel schooner *Success*, Samuel Graves, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims, relating to the vessel sloop *Scrub*, John Russell, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 10498) to create a new division in the western judicial district of the State of Missouri; and

A bill (H. R. 11008) authorizing the Solicitor of the Treasury to quitclaim and release certain title and interest of the United States to Mrs. Lutie M. Nowlin.

The message also announced that the House insists upon its amendments to the bills (S. 2432) granting an increase of pension to James A. Thomas, and (S. 2729) granting a pension to Eliza L. Reese; agrees to the conferences asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. BROMWELL, and Mr. STALLINGS managers at the respective conferences on the part of the House.

The message further announced that the House insists upon its amendment to the bill (S. 3890) granting an increase of pension to Americus V. Rice, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MINOR, and Mr. NORTON of Ohio managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of sundry citizens of New York, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the National Association of Manufacturers of the United States, praying for the ratification of the reciprocity treaty with France; which was referred to the Committee on Foreign Relations.

Mr. DOLLIVER presented a petition of the faculty of the College of Liberal Arts of the State University of Iowa, of Iowa City, Iowa, praying for the enactment of legislation providing for the establishment of a national standardizing bureau; which was referred to the Committee on Commerce.

He also presented the petition of Z. F. Titus and sundry other citizens of Ottumwa, Iowa, and petitions of sundry citizens of Ottumwa, Iowa, praying for the enactment of legislation to regulate the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry shareholders in the Osgood Creamery Company, of Osgood; of Ray A. Clark and sundry other citizens of Poweshiek County, and of the Farmers' Institute of Muscatine County, all in the State of Iowa, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of Rev. John Knox Hall and sundry other citizens of Clarence, of 100 citizens of Volga, and of the congregations of the Methodist Episcopal churches of Little Sioux, Pisgah, and Hawarden, all in the State of Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to the native races in Africa; which were referred to the Committee on Foreign Relations.

Mr. McMILLAN presented a petition of sundry citizens of Detroit, Mich., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 41, Amalgamated Wood Workers' International Union of America, of Detroit, Mich., praying for the enactment of legislation to regulate the hours of daily labor of workmen and mechanics, and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Grand Haven, Mich., praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which was referred to the Committee on Commerce.

Mr. LODGE presented a petition of C. I. Hood & Co., of Lowell, Mass.; the J. C. Ayer Company, of Lowell, Mass.; the Dr. Greene Nervura Company, the Lydia E. Pinkham Medicine Company, of

Lynn, Mass.; of E. W. Hoyt & Co., of Lowell, Mass., and of E. C. De Witt & Co., of Chicago, Ill., all members of the Proprietary Association of America, praying for the repeal of the tax on medicinal preparations; which was referred to the Committee on Finance.

Mr. KYLE presented a petition of the Young People's Society of Christian Endeavor of the Presbyterian Church of Britton, S. Dak., praying for the enactment of legislation to prohibit hazing at the Military Academy at Westpoint; which was ordered to lie on the table.

Mr. KENNEY presented petitions of the keepers and crews of the life-saving stations of Cape Henlopen, Lewes, and Rehoboth, all in the State of Delaware, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which were referred to the Committee on Commerce.

Mr. ALLEN. I present resolutions adopted by the senate of the State of Nebraska, praying for the passage of a bill providing for the establishment and maintenance of a school of mines in every State where such does not now exist. I ask that the resolutions be read, and referred to the Committee on Mines and Mining.

The resolutions were read, and referred to the Committee on Mines and Mining, as follows:

SENATE CHAMBER, Lincoln, Nebr., January 15, 1901.

STATE OF NEBRASKA, Lancaster County, ss:

I, J. C. F. McKesson, secretary of the senate of the State of Nebraska, do hereby certify that on the 14th day of January, 1901, the senate of the State of Nebraska adopted the following resolution:

"Whereas a bill has passed the Senate of the United States and is now pending in the House of Representatives providing for the establishment and maintenance of a school of mines in every State where such does not now exist, and for giving further support to those already established; and

"Whereas such schools would be of incalculable benefit to the vast mineral, road-making, and geological interests of the entire country, and of this State in particular: Therefore,

"Resolved, That the Representatives in Congress from the State of Nebraska be, and hereby are, requested to use their most active and earnest efforts to bring said bill to the consideration of the United States House of Representatives and to secure its passage at the present session of Congress.

"Resolved, That the chief clerk of the senate be, and hereby is, directed to forward a copy of the foregoing preamble and resolutions to the Speaker of said House and to each Representative in Congress from this State."

Given under my hand the day and year last above written.
J. C. F. McKESSON,
Secretary of Senate.

HON. WILLIAM V. ALLEN,
Washington, D. C.

Mr. FRYE presented a petition of Lone Mountain Grange, No. 131, Patrons of Husbandry, of Andover, Me., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry tea merchants of Boston, Mass., and Providence, R. I., praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10617) granting an increase of pension to Kate E. Duffy; and

A bill (H. R. 5648) granting a pension to Mary B. Allen.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (H. R. 11973) relating to rights of way through certain parks, reservations, and other public lands, reported it without amendment.

Mr. KENNEY, from the Committee on Pensions, to whom was referred the bill (S. 5007) granting an increase of pension to George N. Tarburton, reported it without amendment, and submitted a report thereon.

Mr. McMILLAN, from the Committee on the District of Columbia, to whom was referred the joint resolution (S. R. 139) to provide a commission to consider certain improvements in the District of Columbia, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2808) for the increase of the salaries of the justices of the courts of the District of Columbia, reported it with an amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (H. R. 1600) granting an increase of pension to Lucy B. Bryson, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1365) increasing the pension of Lorinda N. Smith, reported it with amendments, and submitted a report thereon.

Mr. WETMORE, from the Committee on the Library, to whom was referred the bill (S. 5367) to provide for the disposition of useless papers in Executive Departments, asked to be discharged from its further consideration, and that it be referred to the Joint Committee on the Disposition of Useless Papers in Executive Departments; which was agreed to.

Mr. SEWELL. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 12846) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1903, to report it with amendments, and to submit a report thereon. I wish to give notice that I shall call up the bill at an early day.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

JOHN F. TOWNSEND.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 5586) granting an increase of pension to John F. Townsend, to report it favorably, with an amendment, and to submit a report thereon. As the bill is in behalf of a very old man, who is exceedingly ill at the present time, I venture to ask for its immediate consideration. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Pensions was, in line 6, to strike out the word "landsman" and insert the words "first-class fireman;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Townsend, late first-class fireman, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. PROCTOR introduced a bill (S. 5625) to regulate the coming of Chinese persons into the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 5626) supplementary to an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, and fixing the compensation of commissioners in such cases; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MCENERY (by request) introduced a bill (S. 5627) for the relief of Robert B. Stubbs; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 5628) granting a pension to Clara W. McNair; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SIMON submitted an amendment providing that the unexpended balance of the amount heretofore appropriated for the boat railway from the foot of The Dalles Rapids to the head of Celilo Falls, Washington and Oregon, shall not be paid into the Treasury, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment providing that the unexpended balance of an appropriation of \$221,000 heretofore made for the construction and equipment of a boat railway from The Dalles Rapids to the head of the Celilo Falls be diverted to the improvement of the Columbia River, and for overcoming and removing obstructions to navigation above the Celilo Falls on said river, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. LODGE submitted an amendment proposing an appropriation of \$5,000 to enable the Secretary of War to appoint a board of officers for the purpose of making an examination of the entire locality of Vineyard Haven and Nantucket sounds, Massachusetts, with a view to selecting a harbor of refuge, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. FOSTER submitted an amendment proposing to appropriate \$126,000 for repairs, maintenance, and improvement of Grays Harbor and Chehalis River, Washington, intended to be proposed by him to the river and harbor appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

He also submitted an amendment proposing to increase the appropriation for improving New Whatcom Harbor, Washington, from \$15,000 to \$30,000, intended to be proposed by him to the river and harbor appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

He also submitted an amendment proposing to appropriate \$10,000 for improving the Columbia River between the mouth of the Willamette River and the city of Vancouver, Wash., intended

to be proposed by him to the river and harbor appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. TALIAFERRO submitted an amendment proposing to increase the amount provided for the construction and equipment of a dredge for use in improving Cumberland Sound, Florida, from \$150,000 to \$250,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment providing that the unexpended balance of the amount heretofore appropriated for improving the harbor of St. Augustine, Fla., be expended on the same, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. MONEY submitted an amendment providing for a preliminary survey of the Tallahatchie River from the mouth of Coldwater River to Batesville, Miss., and also for a preliminary survey of Cassidy Bayou from its mouth for 60 miles, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BERRY submitted an amendment proposing to appropriate \$550,000 for improving the Ouachita and Black rivers, in the States of Arkansas and Louisiana, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. McMILLAN submitted an amendment proposing to appropriate \$14,000 to pave Florida avenue from First to Fourth streets NW., intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. PLATT of New York submitted an amendment fixing the salaries of the civilian professors at the Naval Academy, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. KENNEY submitted an amendment providing for a preliminary survey of Little Creek River, Delaware, and Leipsic River, Delaware, with a view to their improvement, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for improving Mispillion River, Delaware, from \$2,000 to \$25,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate \$20,000 for improving St. Jones River, Delaware, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. TILLMAN submitted an amendment providing for a survey of the entrance into Charleston Harbor, South Carolina, with a view of extending the jetties farther out to sea, to provide shipping with a harbor of refuge from the West Indian hurricanes, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment providing that contracts may be entered into by the Secretary of War for such materials and work as may be necessary to complete the improvement on the upper portion of the Great Pedee River, South Carolina, in accordance with estimates made, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to authorize any landowner, or his or her legal representatives, to bring action in the United States Court of Claims, or in the circuit court of the United States for the district in which land is situated, for damages caused to such land by overflow of any part of the works of the improvement of the Savannah River, etc., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

CHIEF JUSTICE JOHN MARSHALL.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. LINDSAY, as follows:

Whereas the 4th day of February, A. D. 1901, will be generally celebrated throughout the United States as the one hundredth anniversary of the assumption by John Marshall of the office of Chief Justice of the United States; and

Whereas it is proposed that Congress shall observe the day by exercises over which the Chief Justice of the United States shall preside and at which the President shall be present; and

Whereas a memorial praying that Congress shall so take part in honoring the memory of this great Chief Justice has been transmitted to the Congress by the President in his last annual message: Therefore,

Resolved by the Senate (the House of Representatives concurring), That Congress will observe the 4th day of February next, being the one hundredth anniversary of the day when John Marshall became the Chief Justice of the Supreme Court of the United States, by exercises to be held in honor of his memory; and for that purpose a joint committee be appointed by the President of the Senate and the Speaker of the House, respectively, to arrange said exercises and the time and place therefor, to be participated in by the President and the Supreme Court, the Congress, and such officers of this Government and foreign governments, such members of the judiciary and of the bar, and such distinguished citizens as may be invited thereto by such committee.

Mr. HALE. The Senator from Kentucky who introduced the resolution is not here, and I ask that it may keep its place until some time later in the day, when he comes in.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maine? The Chair hears none.

EDITH LOCKWOOD STURDY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2400) granting an increase of pension to Edith Lockwood Sturdy, which was, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty-five."

Mr. GALLINGER. I move that the Senate concur in the amendment made by the House of Representatives.

The motion was agreed to.

WILLIAM LYMAN CHITTENDEN.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1400) granting a pension to William Lyman Chittenden, which was, in line 9, before the word "dollars," to strike out "twelve" and insert "eight."

Mr. GALLINGER. I move that the Senate concur in the amendment, and I make a similar motion in connection with all the pension bills about to be laid before the Senate.

The amendment was concurred in.

JAMES H. COVENTON.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 349) granting an increase of pension to James H. Coventon, which was, in line 8, before the word "dollars," to strike out "thirty" and insert "sixteen."

The amendment was concurred in.

LAURA ANN SMITH.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3457) granting an increase of pension to Laura Ann Smith, which was, in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen."

The amendment was concurred in.

J. J. GROFF.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 91) granting a pension to J. J. Groff, which was, in line 7, to strike out all after the word "pension" down to and including "month," in line 8, and to insert "at such rate as his disability from wound of neck and head may entitle him to."

The amendment was concurred in.

ELIZABETH W. ELDRIDGE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4054) granting an increase of pension to Elizabeth W. Eldridge, which was, in line 8, before the word "dollars," to strike out "forty" and to insert "thirty."

The amendment was concurred in.

ERIE E. FARMER.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1413) granting a pension to Erie E. Farmer, which was, in line 9, before the word "dollars," to strike out "twelve" and insert "eight."

The amendment was concurred in.

MARTHA G. D. LYSTER.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 292) granting an increase of pension to Martha G. D. Lyster, which was, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty-five."

The amendment was concurred in.

MARY EMILY WILCOX.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4574) granting an increase of pension to Mary Emily Wilcox, which was, in line 8, before the word "dollars," to strike out "fifteen" and insert "twelve."

The amendment was concurred in.

B. H. RANDALL.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 667) granting a pension to B. H. Randall, which was, in line 8, before the word "dollars," to strike out "twelve" and insert "eight."

The amendment was concurred in.

CHARLES A. D. WISWELL.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2166) granting a pension to Charles A. D. Wiswell.

The amendments were, in line 6, to strike out all after "Wiswell," down to and including "receiving," in line 9, and to insert:

Late of Company F, Twenty-fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

Amend the title so as to read: "An act granting an increase of pension to Charles A. D. Wiswell."

The amendments were concurred in.

GERTRUDE B. WILKINSON.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4441) granting an increase of pension to Gertrude B. Wilkinson, which was, in line 8, before the word "dollars," to strike out "forty" and insert "thirty."

The amendment was concurred in.

CHARLOTTE W. DREW.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 5093) granting an increase of pension to Charlotte W. Drew, which was, in line 8, before the word "dollars," to strike out "forty" and insert "twenty-five."

The amendment was concurred in.

THOMAS CLAIBORNE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4575) granting an increase of pension to Thomas Claiborne, which was, in line 8, before the word "dollars," to strike out "twenty" and insert "twelve."

The amendment was concurred in.

RENT OF BUILDINGS BY POST-OFFICE DEPARTMENT.

Mr. CARTER. I ask unanimous consent for the present consideration of the bill (H. R. 13274) to authorize the Postmaster-General to lease suitable premises for use of the Post-Office Department.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBUQUERQUE LAND GRANT.

Mr. BERRY. I ask unanimous consent for the present consideration of the bill (H. R. 5048) to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. PETTIGREW. I should like to hear the report read.

Mr. BERRY. I will send up the report. It is a very short one. I will state that Congress passed a similar act in regard to Santa Fe, where the Supreme Court decided that the title was in the United States, and where parties had held title for fifty or one hundred years. The purpose of the bill is simply to recognize the title of the settlers there.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. HANSBROUGH December 17, 1900, as follows:

The Committee on Public Lands, to whom was referred the bill (H. R. 5048) to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes, having had the same under consideration, beg leave to report the bill back with the recommendation that it do pass.

The committee adopts as its report the House report on this measure, which is as follows:

"The Committee on the Public Lands, to whom was referred the bill (H. R. 5048) to confirm to the city of Albuquerque, in the county of Bernalillo and Territory of New Mexico, the Villa de Albuquerque land grant, and providing for the settlement of titles therein, and for other purposes, respectfully report:

"Your committee have examined the court records and made inquiries into the circumstances connected with the 'Town of Albuquerque grant.' It appears that at the time of the cession of New Mexico to the United States there was an old grant, covering 4 square leagues, in which was situated the city of Albuquerque. In a proceeding before the Court of Private Land Claims to have the said grant confirmed and established an appeal was taken to the Supreme Court of the United States, in which the grant was held void and the lands determined to belong to the United States of America.

"A similar state of facts arose as to the grant on which the city of Santa Fe was located, and Congress passed an act ceding the lands covered by the grant to the city of Santa Fe for the use of the persons claiming title through the Spanish grant and through adverse possession. For a time much longer

than any statute of limitations this grant has been recognized, and property rights have been predicated upon it. A prosperous, progressive, and beautiful city has been organized and built upon a portion of the grant, and large sums of money have been expended in its improvement.

"It would be a great injustice for the United States to take advantage of any defect, either in the grant itself or in the proof of the same, in view of the long time in which rights have been growing up under and through this grant. Your committee are of the opinion that the original bill is defective in many respects, and that all proper purposes in perfecting the title can be best accomplished by a transfer of the title of the United States to the city of Albuquerque for the use of those who were in occupation of the premises at the time of the treaty of Guadalupe Hidalgo, and also for the use of those who have, under claim of right, occupied portions of said real estate for a period of more than ten years. Some portions of the grant will remain undisposed of, but the amount is uncertain, and therefore we recommend that the title to such real estate be vested in the city for the benefit of the public schools of the city."

Mr. PETTIGREW. I should like to know the amount of land involved and the size of that town or city.

Mr. BERRY. The bill simply proposes to give the land upon which Albuquerque is situated—I do not know how much it covers—that and no more, to the parties who claim under the treaty of Guadalupe Hidalgo, and those who have been in possession ten years, and any land not in private ownership then goes to the city for the use of the public schools. The House report is what the Committee on Public Lands acted upon. Congress passed a similar act precisely for Santa Fe. The people at Albuquerque have been in possession of the land for a great number of years, but it was decided by the Supreme Court that the grant was invalid.

I think it is a just and equitable bill in every way. It seems to be a great hardship to take the land away from the people who have occupied it and held it for so many years.

I repeat that the Committees on Public Lands both in the House and Senate reported precisely a similar bill in regard to the city of Santa Fe, and it was passed by Congress. I hope the Senator will let this measure pass.

Mr. PETTIGREW. I should like to know when the bill was reported.

Mr. BERRY. It was reported some weeks ago from the Committee on Public Lands after a full hearing. I am not sure whether the Senator was present or not. The Delegate from New Mexico appeared before the committee. The committee heard the case and read the report, and were unanimously of the opinion that the bill ought to pass. I thought the Senator was present, but I was probably mistaken on that point.

Mr. PETTIGREW. Can the Senator inform me of the amount of land involved. The report does not show.

Mr. BERRY. If the Senator will tell me how much land is covered by the city of Albuquerque, then I can tell him. But I do not know.

Mr. PETTIGREW. I think I shall have to object to the bill until I can look into it.

Mr. BERRY. Does the Senator object?

Mr. PETTIGREW. Yes; I want to look into the matter.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

MISSOURI RIVER BRIDGE AT OACOMA, S. DAK.

Mr. KYLE. I desire to call up the bill (S. 5583) extending the time for the commencement and completion of the bridge across the Missouri River at or near Oacoma, S. Dak.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CLOSING OF ALLEY IN WASHINGTON CITY.

Mr. GALLINGER. I ask for the consideration of the bill (S. 4816) to provide for the closing of part of an alley in square 169, in the city of Washington, District of Columbia, and for the sale thereof to the Young Men's Christian Association of the city of Washington.

The Secretary read the bill.

Mr. PETTIGREW. I should like to hear the report read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. GALLINGER June 5, 1900, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 4816) to provide for the closing of part of an alley in square 169, and for the sale thereof to the Young Men's Christian Association, make a favorable report upon the same.

The bill was referred to the Commissioners of the District of Columbia, who report as follows:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA, Washington, May 31, 1900.

SENATOR: The Commissioners have the honor to make the following report upon Senate bill 4816, to provide for the closing of part of an alley in square 169 and for the sale thereof to the Young Men's Christian Association.

A plat is transmitted herewith, showing in red the portion of the alley to be closed, having an area of 2,695 square feet. The part of the alley between the portion to be closed and Eighteenth street is not a public alley, and has never been open to public use, having been set aside by subdivision expressly for the benefit of the abutting lots. The main alley is of such grade that no damage or detriment will result by closing the portion desired, and it is be-

lieved that the use of the ground by the Young Men's Christian Association will be a public advantage, and the Commissioners therefore recommend that a favorable report be made on the bill.

Very respectfully, yours,

HENRY B. MACFARLAND,

President Board of Commissioners, District of Columbia.

Hon. JAMES McMILLAN,

Chairman Committee on the District of Columbia, Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN CONNER, SR.

Mr. TURLEY. I ask unanimous consent to call up the bill (S. 1132) for the relief of John Conner, sr.

The Secretary read the bill.

Mr. SPOONER. I should like to ask the Senator from Tennessee from what committee the bill comes?

Mr. TURLEY. It comes from the Committee on Claims, with a favorable report. There are some committee amendments, to strike out the compensation for pecan trees and some of the other property, which cut down the amount in the original bill.

The land was taken to construct a levee which was necessary for the purpose of the levee system of the Mississippi River Commission and to protect one of the bends in the river. The Government is in possession of the land and has no title to it. This is a bill reported favorably by the committee.

Mr. SPOONER. The Government has power to condemn it, and then damages should be assessed in the proper way. How did the committee get at the precise value of the trees and the amount of cotton?

Mr. TURLEY. The clause in reference to the trees is stricken out, I will state to the Senator. The committee amendment strikes out the value of the trees and gives him only the value of the land and the value of the cotton. It is stated upon proof which was submitted to the committee in the shape of affidavits and from parties who are familiar with the value of land around there. I know the lands are not estimated at a price too high. The evidence in the shape of affidavits which was before the committee was full, and I am thoroughly satisfied it is a just claim. I know the value of land there.

Mr. SPOONER. Of course it is not a large matter, but I think such measures involving claims for damages ought to be referred to the appropriate Department for adjudication.

Mr. TURLEY. This was referred to the appropriate department, the Engineer Department, and there is a report from that department recommending the payment of the claim and showing the amount taken. I omitted to state that. That report has been made, and it is set forth and shown in the papers in the case.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The amendments of the Committee on Claims will be stated.

The first amendment was, on page 1, line 6, after the words "one thousand," to strike out "eight hundred and four" and insert "two hundred and seventy-nine;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to John Conner, sr., the sum of \$1,279.60, to pay for 20.1 acres of cleared land, at \$25 per acre; 7.71 acres of timbered land, at \$10 per acre; 500 bushels of corn, at 40 cents per bushel.

The amendment was agreed to.

The next amendment was, on page 1, line 11, after the word "bushel," to strike out "21 pecan trees, at \$25 each;" so as to read:

And 20 bales of cotton, at \$25 per bale, said land and other property having been taken and appropriated by the United States in constructing a levee at Ashport, Lauderdale County, Tenn., in 1886 and 1887, under the supervision of the Mississippi River Commission; the amount herein appropriated to be in full payment for said land and other property so taken and appropriated.

The amendment was agreed to.

The next amendment was to add to the bill the following proviso:

Provided, That none of the amount herein appropriated shall be paid to claimant until after he shall have executed and delivered to the proper officer of the Government all papers necessary to give to the United States a title in fee simple to all of the aforementioned land, but nothing in this proviso shall be held to compel claimant to pay any taxes which may have accrued against this land during its occupancy by the Government: And provided further, That the acceptance of the amount herein appropriated by the claimant shall be considered as full satisfaction of this claim.

The amendment was agreed to.

Mr. PLATT of Connecticut. I should like some explanation by the Senator from Tennessee to show why the Mississippi River Commission exercised this high-handed power of taking some one's land without any legal authority apparently, in 1886, and never made or recommended, so far as I know, any compensation for it.

Mr. TURLEY. I will state to the Senator from Connecticut that this claim has been presented before. The engineer officers did, very soon after the property was taken, make a report recommending its payment.

Mr. PLATT of Connecticut. The Mississippi River Commission?

Mr. TURLEY. No; the engineer officers. The report shows that all the engineer officers who did the work have indorsed this claim. It is like many other claims that have been here in the Senate. It had been presented before, but had never been acted upon; and at length I succeeded in getting a favorable report upon it.

This work was done and it was necessary, as the report shows, to protect the Mississippi River at the point known as Plum Point Reach. It is of no local benefit to people in Tennessee or to any lands on the Tennessee side.

Mr. PLATT of Connecticut. I am not going to object to the bill, but it occurred to me that if the Mississippi River Commission is engaged in this kind of work it ought to be looked into.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. HUTTON.

Mr. STEWART. I ask unanimous consent to call up the bill (S. 2936) authorizing the appointment of James A. Hutton to a captaincy of infantry in the United States Army.

The Secretary read the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 6, after the word "infantry," to strike out "of the same grade and rank held by him July 31, 1894," and to insert "at the foot of the list of captains therein;" so as to make the bill read:

Be it enacted, etc., That the President be, and is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint James A. Hutton, late a captain of infantry in the Army of the United States, to the position of captain of infantry, at the foot of the list of captains therein, the list of captains of the infantry arm of the service being increased to that extent until a vacancy shall occur; and all laws and parts of laws in conflict herewith are suspended for this purpose only: *Provided,* That said Hutton shall receive no pay or allowances of any kind for the period between the date of his dismissal and date of his appointment under the provisions of this bill.

Mr. SPOONER. I should like to hear some explanation of the bill from the Senator. How did he go out of the Army? Under what circumstances?

Mr. STEWART. Under circumstances that do not now exist. I will state that since he went out of the Army he has served in Cuba and in the Philippines and has the highest recommendation of all the officers under whom he served, and of the citizens where he lives in California, and of the entire California delegation. No man comes here with higher recommendations. He went out of the Army eight or nine years ago. The bill was reported unanimously from the Military Committee, who have had it under consideration for a year, taking further testimony. Finally they came to the conclusion unanimously that the bill ought to be passed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on Military Affairs.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INAUGURAL ARRANGEMENTS.

The PRESIDENT pro tempore. The Chair lays before the Senate a Senate joint resolution which has been returned from the House of Representatives with amendments. The amendments of the House of Representatives will be read.

The Secretary read as follows:

Resolved, That the joint resolution from the Senate (S. R. 142) entitled "Joint resolution to enable the Secretary of the Senate to pay the necessary expenses of the inaugural ceremonies of the President and Vice-President of the United States, March 4, 1901," do pass with the following amendments:

Line 3, after "Senate," insert "and Clerk of the House of Representatives."

Line 6, after "with," strike out all down to and including "hundred," line 9, and insert "Such programme as may be adopted by a joint committee of the Senate and House of Representatives, to be appointed under a concurrent resolution of the two Houses."

Line 12, strike out "five" and insert "seven."

Amend the title so as to read: "Joint resolution to enable the Secretary of the Senate and Clerk of the House of Representatives to pay the necessary expenses of the inaugural ceremonies of the President and Vice-President of the United States, March 4, 1901."

Mr. HANNA. I move that the Senate nonconcur in the amendments of the House of Representatives and ask for a conference on the joint resolution and amendments.

Mr. PETTIGREW. I should like to know what the subject is, Mr. President.

The PRESIDENT pro tempore. It is a joint resolution which was passed by the Senate, appropriating \$5,000 for the inaugural ceremonies.

Mr. PETTIGREW. I have no objection.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Ohio [Mr. HANNA], that the Senate disagree to the amendments of the House of Representatives and ask for a conference with the House on the joint resolution and amendments.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HANNA, Mr. SPOONER, and Mr. JONES of Arkansas were appointed.

THE MILITARY ESTABLISHMENT.

Mr. JONES of Arkansas. Mr. President, there was an agreement entered into the day before yesterday to vote on the Army bill and all pending amendments at 4 o'clock this afternoon. There are a considerable number of amendments pending to that bill, and several Senators desire to be heard on different amendments to the bill. So I respectfully suggest to the committee having charge of the Army bill that it is but fair, under the circumstances, that the bill should be taken up and the debate proceeded with.

Mr. HAWLEY. I delayed because it seemed to many Senators a great favor to let them get in some "little bill," as they always call it, and there was no great pressure for speeches. So I waited. I will now, however, ask unanimous consent that the Senate proceed to the consideration of the Army bill.

There being no objection, the Senate resumed the consideration of the bill (S. 4300) to increase the efficiency of the military establishment of the United States.

Mr. GALLINGER. Mr. President, I offered two amendments to this bill, which at the proper time will be reached for consideration, and I desire to occupy a very few minutes in explanation of those amendments, it probably being the only opportunity I shall have to do so.

It will be remembered that during the debate on the veterinary clause of this bill quite a number of Senators—and I think I am safe in saying some of them belonging to the Committee on Military Affairs—said that they had no objection to giving proper rank to these educated men, and as that commends itself very warmly to my view, I propose to offer an amendment which will give the ordinary veterinarian what I think is proper and adequate rank in the Army.

The amendments that I propose are to section 16, the first one being to insert simply the words "with rank," so as to read: "shall have the rank, pay, and allowances of second lieutenants, mounted."

In addition to that, Mr. President, I intend to offer an amendment, to which there may be very likely more objection, possibly, than to the first one I have named, in these words:

And there shall be a chief veterinarian with the rank, pay, and allowance of a major, who shall be attached to the Quartermaster-General's Department.

Mr. President, I believe that the rank of second lieutenant ought to be accorded to all of those skilled men, men of high education, without objection on the part of the Senate. I feel that the Committee on Military Affairs of the Senate ought at least to permit this matter to go into conference, and give it more mature and careful consideration than can be done in debate in the Senate.

As to the second amendment, which proposes a chief veterinarian with the rank of major—not a very high rank—I am equally of the opinion that that ought to be allowed to go into the bill.

When this matter was under discussion before, the senior Senator from Massachusetts [Mr. HOAR] suggested that, in his opinion, there ought to be a college in some way attached to the Army whereby men could be educated for the position of veterinarian. Why, Mr. President, there are colleges in this country devoted to this purpose, and it is a well-known fact to the profession that every branch of medical study that is required in the medical colleges and universities of the United States is required in those colleges. Their graduates have to pass surgery, in the practice of medicine, in therapeutics, and in all the other branches, with one or two exceptions, that are taught in the ordinary medical colleges.

In addition to that, they have special courses in reference to the diseases of dumb animals, and I will venture to say here that there is very little difference between the diseases that afflict the man and those that afflict the horse. They are substantially of the same kind, and the same knowledge that enables a man to treat a dumb animal enables him to treat a man, or vice versa.

But, Mr. President, what I wanted to emphasize more particularly was that the men who graduate from the veterinary colleges of the United States at the present time are among the highest educated medical men there are in this country.

It does seem to me that this important branch of the service

ought at least to have one man at the head of it with adequate rank—and I propose that of major—who would be connected with the War Department, and who would have under his immediate supervision the important matters relating to the cavalry branch of the military service of the United States. That is all I care to say about that.

Appealing, as I will in closing, to the Committee on Military Affairs to permit these amendments to go into the bill and then to give them careful and considerate attention when they are before the committee of conference—

Mr. SEWELL. Will the Senator allow me a word?

Mr. GALLINGER. Certainly.

Mr. SEWELL. As the bill stands, the question will be open in conference without any further amendment being now made.

Mr. GALLINGER. I am not quite so sure about that, but it certainly will not be before the committee of conference in the form I propose; and I appeal to the Senator that it will do no harm to let this matter go into conference in the shape in which I have placed it. I shall certainly find no fault with the conclusion which the conference committee may reach, whether it agrees with my view or not.

The other amendment I have submitted is in these words:

SEC. —. That all licenses heretofore granted, or that may be granted prior to the approval of this act, for the establishment of American saloons in the Philippine Archipelago are hereby revoked and annulled, and hereafter no such licenses shall be issued.

Since the discussion which took place in the Senate in reference to the introduction of intoxicating liquors into the Philippine Islands and the disastrous results that have followed from their introduction, and the establishment in Manila of four or five hundred so-called American saloons, I have taken a little time to investigate the matter. I believe it has not been exaggerated in the public prints, and that a condition of things exists in that city that is a discredit and a disgrace to the American people and the American Government. After giving the matter thought, I have concluded to propose a more sweeping amendment than the one I have read, which I trust the Senate may think is a wise one, and that it may be incorporated in the bill. The substitute that I shall propose reads thus:

That all licenses which have been granted, by military or other authority, for the establishment of American saloons in the Philippine Archipelago are hereby revoked and annulled; and hereafter no such licenses shall be granted, and the importation, manufacture, and sale of beer, wine, and distilled spirits into said archipelago is hereby prohibited.

Mr. HALE. What does the Senator understand would be comprehended by his description of "American saloons?"

Mr. GALLINGER. That term may be changed. I have thought it would be wise to do it, perhaps. They are the saloons that are established in Manila under the authority largely of American military officers; and I presume they are now being established under the authority of the Philippine Commission that was sent there by the President of the United States. The term is not very important. It may be changed if it is thought desirable; but what I am aiming at—I have no concealment about this matter—is the saloons that have been established in the city of Manila under the authority of the officers of the Government of the United States, hundreds of them in number, doing great mischief to our soldiers and to the people of that city.

Mr. HALE. Will the Senator allow me?

Mr. GALLINGER. Certainly.

Mr. HALE. I was thinking whether the description will not defeat the object of the Senator. His amendment is very sweeping, very extreme, but he does not want to destroy it by imperfect or inadequate description. It does not apply to anything but what would be called or considered or decided upon as an "American saloon." Does the Senator mean to limit his amendment to saloons that are licensed, where licenses are given to Americans, to our people? If so, if that is the definition, if that is the interpretation, it would not include a single license to an inhabitant of the island; but I take it the Senator does not want that, and my suggestion to him is in the interest of his making the amendment clear and definite in the direction and to the extent which he desires.

Mr. GALLINGER. That can easily be done, and while the Senator has been addressing the Senate I have changed the word "American" to the word "liquor." I think that will meet his objection.

Mr. SPOONER. Will the Senator allow me to ask him if his amendment is limited geographically, or whether it applies to the entire archipelago?

Mr. GALLINGER. It applies to the entire archipelago.

Mr. President, I have taken the trouble to look at the question of exports into the Philippine Islands for the four months ending October 31, 1900. I could not get access to the exports for the months since October; possibly if I had sent to the Department I might have obtained them, but I sent to the document room and got a document which gave statistics for the four months ending the 31st of October last. I find that for those four months we exported to the Philippine Islands \$1,487,654 worth of American

products of all kinds. Of that amount we sent of what I shall call Army supplies as follows: Oats, \$395,134; hay, \$117,911; horses and mules, \$166,100; making a total of \$679,145. Of liquors we sent: Malt liquors, \$292,096; whisky, \$57,937; brandy, \$4,318; wine, \$6,286; making a total of \$360,637.

Of all other articles, including breadstuffs, the products of our manufacturing establishments, and the great variety of goods we are sending over the world, we exported \$447,872 worth. In other words, we exported within \$80,000 in amount as much liquor as all other exports exclusive of Army supplies. It may be to the credit of our Government and of our people that that condition of things exists. Almost one-third of the whole exports from the United States for those four months to those islands was in the shape of intoxicating liquors in one form or another.

Not only that, Mr. President, but the record will show that there has been a steady increase in the exportation of liquors to those people. Month by month the volume has increased, so that I apprehend at the present time the monthly exportation is very much larger than it was for any month during the four months I have cited.

I believe the time has come when it will be well for this people to put themselves on record as having some interest in the physical, moral, and mental welfare of the inhabitants of that archipelago, who have come providentially into our keeping. We have endeavored by treaty stipulations to take care of the savages of Africa, we have struck hands with the other great governments of the world in protecting them from the ravages of strong drink, and at the same time we are going on and establishing a commerce, which is increasing day by day and week by week and month by month, with those poor people, whom we are trying to subjugate and for whose future welfare we are, to some degree at least, and to a large degree, responsible before the American people and before high heaven.

I do not know what the fate of this amendment will be, but I propose to offer it and give the Senate an opportunity to express itself as to the wisdom or unwisdom of legislating in this direction.

Mr. COCKRELL. Will the Senator allow me to ask him a question?

Mr. GALLINGER. With pleasure.

Mr. COCKRELL. What is the necessity of any legislation by Congress when the whole matter is in the hands of the President, and has been, and when the only government there now existing is the will of the President?

Mr. GALLINGER. I apprehended that that question would be asked by some Senator, and I will be very frank in making reply, that I do not think there would be any need of legislation if those who have in charge the welfare of those people in this direction would exercise the power which they possess. A very high Army officer said to me the other day in deploring this condition—a gentleman whose name I shall not mention here—that something ought to be done about this matter. He said the authority that established those saloons can destroy those saloons, if it shall be exercised. But it is not being exercised; and in that contingency, it seems to me, we may very properly take the matter into our hands, we having authority to do so, and put an end to this nefarious business that is going on in Manila.

Mr. COCKRELL. One more question. Will the canteen provision, which has already been enacted, be applicable to Manila?

Mr. GALLINGER. I think so far as military camps are concerned it will be.

Mr. COCKRELL. You think the canteen provision will apply there?

Mr. GALLINGER. I think so.

Mr. COCKRELL. How will it apply if it is not the will of the President? The only law there is the will of the President, and there is no provision that that shall apply to the Philippine Islands. So it only applies to the United States.

Mr. GALLINGER. I think properly it would apply to our Army wherever the Army may be. But there is a greater question than that of our Army posts and our military establishment, and that greater question is involved in the amendment I propose to offer, and which I hope the Senate will see its way clear to adopt at the proper time.

Mr. PROCTOR. Mr. President, in regard to the amendments offered by the Senator from New Hampshire [Mr. GALLINGER] for the veterinary corps, I wish to say that I am not aware that any members of the committee favored giving rank to those officers. Certainly the action of the committee was unanimously against giving them rank. I recall that the Senator from Missouri [Mr. COCKRELL] was very earnest upon that point, as I think were all his colleagues upon that side of the Chamber, and, so far as I know, upon this side. The whole matter, as I understand, will be in conference; and I think it would be very unwise to open a question which was decided very strongly on the floor of the Senate after full discussion.

Mr. President, is it in order to offer a further amendment to this bill?

The PRESIDENT pro tempore. Amendments are still in order.

Mr. PROCTOR. On page 34, line 19, and following, there is, in my view, a great redundancy of commas, which might change the meaning of the section. In line 19, between the word "staff" and the word "corps," there is a comma, and another after the word "corps," which should be stricken out. There is another comma after the word "staff," in line 23, and one after the word "corps," in line 24. Then on the following page of the same section, in line 4, after the word "staff," the comma should be stricken out; also after the word "corps" in the same line; also in line 8, the comma should be stricken out after the word "staff" and after the word "corps;" and the same changes should be made in line 10 where the same words occur. It should read "staff corps or department."

The PRESIDENT pro tempore. If there be no objection, the amendments proposed by the Senator from Vermont will be agreed to. The Chair hears no objection, and they are agreed to.

Mr. PROCTOR. I wish to offer another amendment to be inserted in line 14, on page 20. I send the amendment to the desk.

The PRESIDENT pro tempore. Does the Chair understand these to be committee amendments?

Mr. PROCTOR. The first amendment I offered was not a committee amendment, and neither of them is a full committee amendment. As to the first one, I thought there would be no question by anybody, and the other I am willing to leave to the Senate.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Vermont will be stated.

The SECRETARY. On page 20, line 14, after the word "have," it is proposed to insert "received the indorsement of the proper ecclesiastical authority of his denomination and."

Mr. PROCTOR. Then the clause would read that the chaplain should not be appointed until he should have received the indorsement of the proper ecclesiastical authority of his denomination and established his fitness as required by existing law.

I wish to say that with the Catholics it has been their custom—and it has proved a very valuable one—that the chaplains are not appointed without receiving the indorsement of the church authorities. There has been carelessness with some of the other denominations and many unfit appointments have been made. I am sorry to say that that high office has not had the standing it ought to have in the Army. I can not speak for the Navy.

I am not authorized to offer the amendment for the committee, but I will say that I have consulted on the floor several members of the committee, and I think a majority of the committee approve of the amendment.

Mr. GALLINGER. I want to ask the Senator what the ecclesiastical authority of the Baptist Church or the Congregational Church of this country is. I think this is a very inopportune and unfortunate amendment.

Mr. PROCTOR. I have recently had an application from a minister of the Baptist Church for an appointment as chaplain. He forwarded to me what appeared to be the official approval of the Baptist association to which he belongs, signed by the secretary of the association officially.

Mr. GALLINGER. If the Senator means by the expression he has used, the local association, there is some force in it; but when his amendment suggests that there is an ecclesiastical authority somewhere that is going to govern this matter, I can inform the Senator that there are some denominations in this country that do not recognize ecclesiastical authority.

Mr. PROCTOR. It is a matter entirely in the discretion of the President.

Mr. PLATT of Connecticut. I understood the Senator to say that he did not wish to press the consideration of the amendment at this time.

Mr. PROCTOR. Certainly; I said that.

The PRESIDENT pro tempore. The amendment will lie on the table.

Mr. PROCTOR. To be called up with the others.

Mr. TELLER. It seems to me this would be turning over all the appointments to these ecclesiastical bodies.

Mr. GALLINGER. Certainly; absolutely.

Mr. TELLER. I think the Senator from Vermont had better withdraw the amendment.

Mr. SPOONER. Under it the appointments would be made by the different religious denominations.

Mr. TELLER. I do not think we can afford to do that.

Mr. PLATT of Connecticut. The amendments which have been suggested by the Senator from Vermont [Mr. PROCTOR] seem to have turned the attention of the Senate away from the subject which was presented to it by the Senator from New Hampshire [Mr. GALLINGER], which was his proposed amendment excluding the importation of liquors into the Philippine Archipelago. Before that passes from the consideration of the Senate, I want to ask the Senator from New Hampshire or the Senator from Massachusetts [Mr. LODGE], who is chairman of the Philippine Committee, exactly what the Philippine Commission are doing on this subject.

Mr. LODGE. Mr. President—

Mr. PLATT of Connecticut. If the Senator will wait a moment, I will state why I ask the question.

Mr. LODGE. Very well.

Mr. PLATT of Connecticut. I am, in the first place, entirely in sympathy with the purpose of the amendment. I am, in the second place, extremely reluctant to begin Congressional legislation for the Philippine Islands while the matter is entirely in the hands of the Philippine Commission.

Now, I wish to call the attention of the Senate to the names of the men who compose the Philippine Commission: Judge Taft, Professor Moses, Dean Worcester, Luke Wright, of Tennessee, and Judge Ide, of Vermont. I venture to say that no five men in the United States could have been selected for that commission in whose judgment, whose integrity, and whose desire to do everything that could be done for the betterment of the people of the Philippine Archipelago we could more implicitly trust.

This matter is primarily in their hands. They are subject to the direction of the President. I am not ready to believe the newspaper reports or Treasury statistics that the men who compose this commission are not giving attention to this matter and doing everything which honorable and honest and patriotic and temperance men can do in those islands to prevent this trouble and evil.

Now, if that is so, it becomes a pretty serious question whether we want to begin to legislate with reference to what shall or shall not take place in the Philippine Islands. I do not know how I will vote on this amendment, but if I should conclude to vote against it I desire that my reasons for it shall go upon record here and now. I wish the Senator from Massachusetts would tell the Senate just what has been done and is being done by the Philippine Commission.

Mr. LODGE. Mr. President, I shall be very happy to state what I know in regard to it. In the wake of the Army there followed, as there usually do, camp followers, I suppose, and other persons, who undertook to make a profit on the sale of liquor in Manila. They opened a large number of American barrooms and saloons which did not exist before. I think I am correct in saying there were as many as four to five hundred American barrooms in Manila. From the information that I received more than a year ago it seemed to me that those saloons were doing infinite harm to the Army, more harm to the Army than to the inhabitants, who, like most tropical people, are very temperate. But that it could be of any good to the inhabitants to introduce this large number of American barrooms into a place where they had never existed before I could not for one moment believe.

The policy pursued by the War Department in Habana, as anyone may see by turning to the report of General Ludlow, was the entire suppression of barrooms of that character, and they were absolutely suppressed in Habana, and, as I stated in the Senate the other day, I know from General Ludlow himself that it was entirely successful. I do not know the reasons for not pursuing a similar policy in Manila. I have no doubt there were good reasons, and I am not disposed hastily to criticize men charged with the great and difficult responsibilities which are presented in those islands. But that my opinion was not far wrong as to the general effect of those saloons is shown by the action taken by the commission itself. The commission reduced the number of licensed places, I believe has increased the amount of license, and has removed the saloons entirely from certain portions of Manila. From the principal street, known as the Escholta, they have been completely removed; therefore it is evident that the Taft Commission were impressed with the evils of this traffic in the city. I am told by gentlemen who have recently returned from Manila that under the arrangements of the Taft Commission a very great improvement has occurred, and that the order of the city leaves nothing to be desired.

But, Mr. President, there have been a great many criticisms made upon this matter, directed against the War Department, directed against everybody concerned, including Congress, for the fact that this was allowed to go on. Those criticisms have been made here in the Senate. We have the power to stop, certainly to check, the evil; and if we are so ready to criticize others, we ought not to leave our own powers unused. If we decline to do anything, I think we have no right to criticize the officers who have been charged with this work. That which is proposed here in these amendments would be simply a continuance of what the commission itself is doing. It would be in support of their policy.

Now, that commission, I will take occasion to say, Mr. President, is not in the least disturbed at the prospect of legislation for the islands. I know it has been the hope and the desire of the president of the commission and, I believe, of all his associates that the Spooner measure should pass. They hoped for it at the last session. They hope for it now, because they think the transference of authority from the war power to the civil power is greatly to be desired. I do not think they would have any objection whatever to any law we chose to pass.

I think the merit of this amendment would be chiefly in the protection of our own Army, and I can not, I confess, see any defense for the proposition of carrying this enormous extension of the traffic in distilled spirits into those islands which has come since our occupation of them. Who can say that it is of benefit to the Army or to the people of those islands to pour into the islands this vast export of distilled spirits, which did not exist before? I think it is reasonable legislation. I am not particular about the form in which it is put, but if we are prepared to criticize others I think we should be prepared also to do our own part. It seems to me that this is something as to which we can judge from the reports as well as anybody else. I do not wish to interfere with the commission. Nobody has a higher respect for the commission than I have. If we had followed their wishes, I think it would have been well, instead of passing them by without any attention in Congress. But to say that we can not legislate in a military bill for territory held by our Army seems to me perfectly absurd.

This is a bill for the government of the Army. The Army is scattered all over those islands. The proposition of this amendment is to shut out the importation of distilled spirits from the territory held by the soldiers of the United States. I can not see any argument against it. What object can be served by increasing this export into those islands? I can see none. We are governing the islands under the war power. This is military legislation purely, eminently appropriate legislation, in which I believe, and I can not see why, in that connection, it is trenching in the least upon the powers of the commission to make provision to protect the health of our Army, for everyone knows that to a Northern man in tropical climates nothing is more deadly than alcoholic spirits.

Mr. PERKINS. Mr. President, I am glad that the Senator from Connecticut raised the question which he has, for I was about to do so in defense of my own position upon this question. I do not propose by my silence to permit the Senator from Massachusetts or the Senator from New Hampshire to place me on the side of those who are voting to carry poison to our soldiers in those islands. Three members of the commission are known to me to be teetotalers. As the Senator from Connecticut has said, there are no five gentlemen, I believe, who could have been selected in the United States who are better equipped from every point of view to perform the duties which have been assigned to them by the President of the United States, with the sanction of Congress. It seems to me it would be as reasonable for us to legislate upon this bill in this respect as to legislate with respect to the sanitary conditions which shall exist in the archipelago, how many shall compose the board of health or the board of education, or what shall be the system of education that shall prevail in the public schools that have been established under the direction of the Philippine Commission. They are clothed, as I understand, with plenary powers, and they are exercising them, as I learn, not only from official but from private sources, in such manner as not only reflects credit upon their judgment, but as will redound to the general welfare of the American soldiers who are there, as well as of all the Filipinos.

It seems to me the part of wisdom to profit by our own experience. For thirty years in the Territory of Alaska we had prohibition laws. Under the statutes passed by Congress not a drop of alcoholic liquor could be imported into that district. For thirty years the Government of the United States said, "It is a prohibition Territory," when, as a matter of fact, there was not a town, a village, or a mining camp or a fishing camp in the great district of Alaska, comprising 578,000 square miles, where liquor was not sold openly, and no jury ever convicted a saloon keeper for selling liquor, because his defense was that "the Government comes with one hand and sells me an internal-revenue license to sell liquor and with the other hand, as represented by the United States district attorney, it comes and prosecutes me for doing that which the license has given me the right to do." The result was that no jury ever convicted them.

Mr. TELLER. I should like to ask the Senator from California if he means to say that the Government sold licenses to sell liquor in Alaska?

Mr. PERKINS. They did.

Mr. TELLER. Will the Senator go far enough to tell us where they got the authority to do that?

Mr. PERKINS. My friend was a lawmaker at that time and helped to pass the internal-revenue law.

Mr. TELLER. If we did pass the internal-revenue law years ago, long before we passed this law for Alaska, it did not justify the Government in selling permits to sell whisky in Alaska.

Mr. ALLEN. It was a mere tax.

Mr. PERKINS. I am stating the facts as they existed.

Mr. CARTER. Will the Senator from California permit me, in explanation, to say a word? I may be able to cast some light upon the subject. The internal-revenue officers maintained, in connection with the Alaskan situation, that the internal-revenue receipt was not a license to do business, but a tax on business be-

ing done. Should the business be transacted without the payment of the tax, then a penalty would be applied. The same tax is collected in the State of Maine, where a prohibition law prevails. If the internal-revenue receipt does not appear in one of the "speak-easies" or underground places which are said to be conducted in that State, the internal-revenue officers, in the prosecution of their work, would make an arrest for violation of the internal-revenue law.

In Alaska we had the curious situation of a statute prohibiting the sale of intoxicating liquors in the district, and at the same time our internal-revenue officers were collecting this tax for the conduct of the business throughout the entire district.

Mr. TELLER. Will the Senator allow me to call his attention to the fact that we had more than that? We had, in addition, a law that prohibited any man from carrying liquor into the Territory.

Mr. CARTER. I think so.

Mr. PERKINS. Yes, Mr. President; and (I speak advisedly, for I am familiar with the conditions that existed there) that very law prohibiting the importation of liquors into Alaska set up a band of smugglers the like of which has never existed in any other State or Territory of the United States. There were hundreds of men employed in the illicit business of smuggling from British islands and British territory into Alaska.

Mr. Hamlin, of Boston, in the State of the distinguished Senator from Massachusetts, then Assistant Secretary of the Treasury, went to Alaska on a revenue cutter. He said to me, "I went into the town of Juneau and found that almost every other building was a saloon." He called upon the collector of the port and said, "What does this mean? Why do you not close up the saloons?" The collector said, "Mr. Secretary, I am willing to obey your orders if you will send a company of marines to assist me and leave them here; but it is impossible otherwise. There are hundreds of men smuggling."

Mr. LODGE. Is there no distinction in race, climate, and habits between Sitka and Manila?

Mr. PERKINS. I am coming to that. I have been in both of those countries, and my friend the Senator from Massachusetts has not been in either one of them. I am familiar with the conditions and with the people. I voted for the international treaty presented here prohibiting the importation of intoxicating liquors into Africa and among the savages; I voted against the canteen, and I do not propose to be classed on the other side. I believe in prohibition. I believe temperance in the individual is where you should commence. I believe that when you can not prohibit the way to do is to regulate. I believe in local-option laws. I believe in high license. We have the object lesson of Alaska. That bill, which I in a measure introduced and in a measure stood sponsor for, brought down upon myself the anathemas of many of my good friends who did not understand the fact, which has since been demonstrated, that I was doing more for the cause of temperance in Alaska than all the temperance societies in this country have done for that district.

In the town of Juneau there were 36 saloons when it was a prohibition territory. To-day there are but 9 saloons and they are regulated, and if a saloon keeper sells liquor to an Indian he is prosecuted. If he sells it to a person who commits an injury or damage to another, he is liable for pecuniary damages.

Mr. GALLINGER. Why not sell it to an Indian as well as to an American boy?

Mr. PERKINS. The Indian can not govern himself or control himself, but an American boy is taught in the family circle, at the home altar, and up to the time when he leaves his home that "he that ruleth his spirit" is mightier "than he that taketh a city." So I say the place to commence to teach temperance is with the individual and in the home.

But coming back to Alaska. Governor Brady, who is a teetotaler, a prohibitionist, said to me that that law has done more for temperance in Alaska than any other law Congress ever passed. There were nine saloons in the town of Sitka. To-day there are but two saloons, and public sentiment will in a short time abolish them, I believe. But when it was a prohibition Territory people were engaged in smuggling. On every ship that went up to that district the firemen, the engineers, the waiters, and the sailors were all trying to smuggle liquor into the district. I was the representative of a ship bound for Alaska which was wrecked on her way to that district. She sunk in the water. We rescued her, and among the goods we saved were some 30 barrels that formerly contained sugar, and in 12 of those barrels there were 5-gallon kegs of whisky that had been embedded in the sugar. The sugar had melted, but the whisky was there.

The same condition will exist in the Philippine Islands. There are 1,200 inhabited islands in the archipelago known as the Philippine Islands. You are surrounded by Java, Sumatra, Hongkong, and other possessions, and you will start a smuggling business there. It is impossible to keep it out, and therefore the next best way is to regulate it; and we are regulating it through the commission we have sent there, consisting of Judge Taft, Judge

Ide from Vermont, Mr. Wright, Professor Worcester from Michigan, and Professor Moses, from California, who is a teetotaler.

In California we have local option. Where we can not prohibit it we have high license; and although we are a cosmopolitan people, more nationalities, perhaps, being represented in California than in any other State or Territory of the Union, yet I venture to say that there is not a city or a town of the same population that San Francisco, or Sacramento, or Los Angeles has where you see a fewer number of people under the influence of intoxicating liquor. I believe it is the part of wisdom for the Congress to profit by our experience in Alaska. We utterly failed to prohibit, but now we regulate it, and in time we will educate the people up to the high standard which exists in New Hampshire—about the only place, when I was down East last year, where I found anything stronger than coffee. We may be able, perhaps, to have the people say, "We will have no more saloons," and God hasten the coming of that day.

I shall vote against this amendment because I know it is impracticable. I know that it offers a premium, so to speak, for people to violate the law by smuggling liquors into the Philippine Islands, while now the commission, which has the cooperation of the Army, not only in Manila, but in every other town and hamlet of the 1,200 inhabited islands has the power to regulate and the power to abolish it. Let us not by any law that we may pass here offer a premium to men to come in and violate the statute, for that is what it will result in as sure as the light shines upon us to-day. People will become engaged in the illicit, contraband business of smuggling into those islands that which the law says shall not go there. For this reason, and this reason only, believing that the commission are doing good work, a noble work, not only in the cause of temperance in the islands, but in the cause of morality, in the cause of health, in the cause of patriotism, I shall vote against the amendment.

Mr. CARTER obtained the floor.

Mr. MCCOMAS. Will the Senator yield to me to offer and have pending certain amendments perfecting an amendment I offered several days ago?

Mr. CARTER. Certainly.

Mr. MCCOMAS. I offer certain amendments to perfect the amendment I submitted the other day.

The PRESIDING OFFICER (Mr. KEAN in the chair). Without objection, the amendments will be received.

Mr. MCCOMAS. And be treated as pending.

The PRESIDING OFFICER. And be treated as pending.

Mr. PROCTOR. Let the amendments be read.

Mr. STEWART. Let the amendments be reported.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 22, section 11, lines 16, 17, and 18, strike out the words "and whose age at the date of appointment shall not exceed 40 years."

Mr. PETTIGREW. I rise to make a point of order. I understand the Senate is considering an amendment offered by the Senator from New Hampshire, and another amendment can not be considered until that is disposed of.

The PRESIDING OFFICER. The Senator from Maryland did not ask to have the amendments considered.

Mr. MCCOMAS. I asked to have them printed.

Mr. PETTIGREW. I object.

The PRESIDING OFFICER. If there is objection they will go over.

Mr. PETTIGREW. I object to introducing into the discussion other amendments.

Mr. MCCOMAS. There will be no discussion. I simply asked to have the amendments printed.

Mr. PETTIGREW. Some one asked to have them read.

Mr. CARTER. Mr. President, the question presented by the portion of the amendment of the Senator from New Hampshire relating to the liquor traffic in the Philippines should, I think, be considered entirely apart from the basis of his complaint. I doubt if any division of opinion can exist with reference to the duty of the United States to contribute every civilizing influence it can control and to restrain every demoralizing influence that it can restrain in the Philippine Islands. But the question presented by the amendment is broader than the Senator seems to apprehend.

By a treaty we obtained sovereignty over the Philippine Islands in 1899. Committees were appointed, I believe, in both Houses of Congress to take special jurisdiction over affairs in relation to the Philippine Islands. Neither committee has presented any plan or system of laws or government looking to the future control of the islands. We may well comprehend the reasons for this—the remoteness of the islands, the meager information existing and quickly obtainable with reference to them, and the chaotic condition of affairs with which we have been compelled to contend since the islands were acquired. It has appeared to all, I think, that the first, primary, imperative duty was to restore law and order there. That could be done best through the Army. The Army has therefore been left in control.

The effort to establish in some measure civil government where it can be established has been provided for not by Congress, but through a commission appointed by the President, in the exercise of the war power. That commission is exercising its functions in the matter of establishing civil government wheresoever it can. Our information is that some of its efforts proved futile; that a government established last month may not be found in existence the month just coming; that governments believed to be stable in a city or section of the country are overturned, and the troops must appear to reestablish the civil authority.

Now, I submit that since no committee has been able to acquire sufficient information upon which to support or predicate any proposed scheme of legislation for the Philippine Islands it is inopportune, unwise, imprudent to commit the Government to any legislative policy, particularly upon an amendment hastily offered to a bill which is to be voted upon at 4 o'clock this afternoon.

Now, Mr. President, the question may properly be asked, has the commission left to the municipal authorities of the city of Manila the right to issue these licenses? If that be true, and the licenses have been issued by the local authorities, then that measure of local self-government accorded to the citizens of Manila by the commission should not be violently dealt with by Congress upon partial and imperfect knowledge.

I believe that it is the duty of the United States, and that the duty will be fully recognized when the time comes, to extend to the Philippine Islands and all the people thereof the largest measure of self-government which they can enjoy and maintain. The proposition here presented to interfere with the operations of a town council in Manila seems to be wholly inconsistent with permission to those people to govern their own affairs, even where they have the disposition connected with the ability to do so.

Mr. GALLINGER. Is there a town council at Manila?

Mr. CARTER. I am not aware of the existence of a town council. I assume there is some sort of municipal authority there, and that this authority has been recognized by the commission. Such authority has been recognized in the smaller places throughout the country where the commission has caused local officers to be appointed and has delegated to the various local officers the right and the power to control local affairs within certain limitations, no doubt. We propose, though, Mr. President, now, if we follow the amendment proposed by the Senator from New Hampshire, ignorant as to whether a town council exists in the city of Manila or not, to pass a law regulating affairs there of which we have but meager knowledge.

Taking the character of the commission into consideration, we are justified in assuming that the gentlemen charged with the authority and conversant with the facts are more likely to act wisely and well upon a matter of this kind than the Congress of the United States, possessed of only fragmentary information and which has not yet determined upon the exact attitude that Congress will assume toward those islands in the future.

I assert now, and I believe correctly, that the Congress of the United States has not reached any conclusion with reference to the extent to which its legislative power will be extended in the Philippine Islands. We have the sovereign power. Shall we delegate the right of local self-government to a legislative assembly to be composed of delegates from the respective islands or shall we legislate direct from Washington? What, if any, restrictions will be cast about that legislative assembly? What will we say with reference to the right to create indebtedness? For what purpose shall indebtedness be authorized? What sources of revenue shall we recognize as within the purview of legislative authority delegated to the Philippine Islands or the legislature there to be created?

These questions might be multiplied indefinitely, and the only answer that could be made would be that the mind of Congress has not yet reached a conclusion with reference to the elementary principles that are to govern its action in relation to legislation controlling affairs and peoples in the Philippine Islands.

But, Mr. President, in this vague and indefinite and hazy condition of legislative thought the Senator from New Hampshire proposes on this bill to interject an amendment, ill considered, never presented to any committee, embodying terms that he personally concedes are ill defined and may not be applicable to the situation.

Mr. GALLINGER. If the Senator will permit me, I have admitted nothing of the kind whatever; nothing of the kind.

Mr. CARTER. The Senator said to the Senator from Maine that the terms used, "American saloons," had no definite meaning.

Mr. GALLINGER. I said that I did not find any difficulty in substituting a word for "American," and I had not considered the amendment as foolish.

Mr. CARTER. Mr. President, I say, whatsoever the Senator from New Hampshire may not concede, the term "American saloon in the Philippine Islands" is not a classification or designation sufficiently definite or specific to be put into a law. It may be that in Washington we know what the American saloon is.

Mr. GALLINGER. If the Senator will permit me, Mr. President, I stated to the Senate (possibly the Senator did not hear me)

that I should substitute the word "liquor" for "American." Has the Senator any difficulty in knowing what that means?

Mr. CARTER. I should inquire of the Senator from New Hampshire if I was perplexed on the subject; he could give me information.

Mr. GALLINGER. I would refer the Senator to the dictionary, Mr. President.

Mr. SPOONER. Perhaps an American saloon would be defined to be a place where they sell American drinks.

Mr. CARTER. That might be. Then if Scotch whisky should be sold, I presume it would not be an American saloon, but a Scotch saloon.

Mr. GALLINGER. The Senator is always courteous, Mr. President, and I do not think the Senator is doing himself credit to play upon this word which I inserted in my amendment. It has been changed to "liquor saloons," and if the Senator does not like that designation I will try to find something else that will suit him.

Mr. CARTER. The fact that two or three changes have been made on this floor since the amendment was offered furnish the exact evidence of inconsiderate action to which I was addressing myself. This amendment has not been referred to nor considered by any committee. It launches Congress into a shoreless sea. It commits us to a principle of legislation for the Philippines which the country has not made up its mind to engage in.

The Congress, I insist, is not ready to begin the work of legislation for the Philippine Islands. The committee specially charged with the work of presenting to this body legislation looking to the future government of the Philippines have been unable to reach any conclusion such as might be crystallized into a bill to be presented here for consideration. Until the conditions ripen and the time arrives when Congress clearly understands the exact latitude and longitude destined to govern legislation with reference to the Philippines it is unwise and hazardous to begin by piecemeal here and there to interject Congressional enactments.

Some of our friends here on the floor, earnest, patriotic Senators, insist that we should withdraw our forces from those islands and recognize the autonomy of the people there, or the government that they may or can establish, and withdraw entirely.

Others insist, and with equal vehemence, that while according to them full local self-government we should attend to their foreign relations and thus establish a sort of protectorate over them. Others insist that we should legislate directly from Congress for the Philippine Islands precisely as we legislate for the District of Columbia. Until we shall have determined coolly, deliberately, and fully the lines that are to control Congress, I insist that it is unwise and imprudent to commit the Government to any system of legislation.

Mr. TOWNE. Will the Senator from Montana permit a question?

Mr. CARTER. Certainly; with great pleasure.

Mr. TOWNE. The Senator, with customary cagery, Mr. President, has demonstrated, I take it, the incapacity, the unreadiness, and the inaptitude of the American Congress for the task of governing the Philippine Islands. I should like to ask him whether he regards that as a triumphant demonstration of the wisdom of superseding the self-government of the Filipinos by the incapacity, inaptitude, and unreadiness upon the part of the American Congress which he has described?

Mr. CARTER. Mr. President, the best possible evidence of the capacity of the American Congress to legislate wisely is contained in the prudent and conservative course it has pursued in doing nothing with conditions with which it is not fully conversant. Less capable legislative bodies might rush in and commit the Government to a policy which would bring wreck and ruin and disaster. I think the people of the country and the Congress of the country have shown alike great capacity for affairs by the prudence and the conservatism which have marked the course of the Congress of the country in dealing with these grave questions so suddenly thrust upon us. It has been wisely determined, and I hope the determination will not be departed from here to-day, to withhold all legislative interference until we shall be informed of the thing that is wise and just and patriotic to do. Legislation by piecemeal, such as this amendment proposes, would gradually and insidiously commit us to a policy which we might hereafter be very glad to retreat from.

I am not prepared, Mr. President, to admit that the Congress of the United States by showing a disposition to go slow, by showing a disposition to consider well before acting, has thereby demonstrated its incapacity to act. I doubt if in the history of this country a more grave situation has been brought to the attention of any Congress than that which is presented to the Congress of the United States now with reference to the future destiny of the Philippine Islands. The whole matter rests with Congress, and until Congress shall have reached a conclusion, until it shall have come forward with fully ripened thought, it is pursuing the wise course in leaving to the executive department of the Government

the establishment and maintenance of law and order in the Philippine Islands.

I think nothing could be more unfortunate than to interject here and there Congressional enactments to interfere with the Philippine Commission, which is amply competent to deal in a tentative manner with the matters confided to their care until Congress shall take full cognizance of the subject and deal with it effectively.

Mr. ELKINS obtained the floor.

Mr. BACON. Will the Senator from West Virginia permit me just half a minute?

Mr. ELKINS. Certainly.

Mr. BACON. With the consent of the Senator from West Virginia, I wish to ask that after he has finished his speech all other speeches until the hour for voting shall be reached be limited to ten minutes each.

Mr. GALLINGER and others. Five minutes each.

Mr. BACON. I will say five minutes each.

Mr. STEWART. I object.

Mr. BACON. I think such an arrangement ought to be made. There are a great many amendments proposed that the Senators offering will want to say something about.

Mr. STEWART. I object, unless the time previously occupied by Senators to-day be counted in the ten minutes.

Mr. MONEY. I desire to offer an amendment which I can not explain in five minutes, and therefore I shall have to object.

Mr. TELLER. Mr. President—

Mr. McCOMAS. Will the Senator allow me simply to make the request again? I think there will be now no objection that my amendment, striking out the 40 years age limit, shall be considered as pending.

Mr. HALE. It is pending if it has been offered.

Mr. McCOMAS. And the same as to the volunteer clause in the provision relating to the Adjutant-General's Department.

The PRESIDING OFFICER. The Senator from South Dakota [Mr. PETTIGREW] objected to its being offered at that time.

Mr. PETTIGREW. Do I understand that all these amendments are pending so that we can discuss them all at once, and one Senator will rise and discuss one amendment and another rise and discuss another amendment, thus leading to endless confusion without any understanding of any question? I understand that the amendment offered by the Senator from New Hampshire is pending; that that is the question before the Senate to be voted upon, and while it is pending no other amendment can be offered.

The PRESIDING OFFICER. The Chair understands that the Senator from New Hampshire gave notice that he intended to offer the amendment.

Mr. MONEY. We are to vote at 4 o'clock, and the time allowed for debate should not be consumed in voting. That was the distinct understanding on both sides of the Chamber. The voting on the bill and all amendments pending or that may be then offered is to begin at 4 o'clock.

Mr. GALLINGER. Mr. President, I will say that my amendment is not pending. I simply suggested that I would offer a substitute for the amendment now on the table.

Mr. TELLER. I wish to say just one word, if I can.

The PRESIDING OFFICER. Does the Senator from West Virginia yield?

Mr. ELKINS. I should like to say a few words, as I have the floor.

Mr. TELLER. I want to say one word. I do not think, when we are within two hours of the time to vote, that any Senator ought to take the floor and talk for an hour.

Mr. ELKINS. I will talk only about two minutes.

Mr. PETTIGREW. The bill is before the Senate, but no amendment is pending, I understand.

Mr. ELKINS. I understand that the amendment of the Senator from New Hampshire is pending.

Mr. PETTIGREW. It is not pending. It has been offered.

Mr. ELKINS. I want to speak on that amendment, if permitted.

Mr. HALE. What is the regular order?

The PRESIDING OFFICER. The Senator from West Virginia has been recognized.

Mr. HALE. I hope the Senator will go on.

The PRESIDING OFFICER. The regular order is the bill itself.

Mr. ELKINS. Mr. President, I am a temperate and temperance man and desire in every reasonable and practical way to promote temperance, but I wish to state in a few words, briefly, my reasons for opposing the amendment offered by the Senator from New Hampshire.

In the first place, I think it is an inopportune time to begin to legislate in regard to the Philippines pending the war in the archipelago and until it has terminated. I think that the powers vested in the Taft commission, which is a wise and able one, and in the President of the United States under the military power given to him under the Constitution, are amply sufficient to regulate this

question and all others until the war ceases. I am ready to leave it to that military power and to the commission jointly. If they want to prohibit saloons in the Philippine Islands, very well; but if we begin to legislate under pretense of protecting the soldiers there on the subject of temperance, or to regulate the sale and importation of liquors, we might as well begin to legislate on every other subject, even before the military control over the Philippine Islands has ceased. The passage of the proposed amendment would extend the Constitution over the islands surely as to this question before the decision of the Supreme Court may be rendered.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New Hampshire?

Mr. ELKINS. I will yield for just a moment.

Mr. GALLINGER. I simply want to ask the Senator if he is aware of the fact that there is a very acute difference of opinion on the part of those commissioners as to the method of dealing with this liquor question?

Mr. ELKINS. I do not know; but whatever difference there is they should settle it there; they ought to settle it among themselves, and the question should not be thrust into Congress before the Congress is ready to meet it and the military authority on the islands ceases.

Now, Mr. President, we talk about treating the Filipinos well and giving them the rights of American citizens in the Territories at least. If you pass this amendment, you take from them the right they have exercised for three hundred years—the right of drinking wine or beer or of drinking what they please on their tables—all under the guise of protecting our soldiers. It seems to me this would be a stab at their liberties by the Congress of the United States and breed opposition to our laws and policies. I am not prepared as to the merchants and manufacturers out there, the bankers and lawyers, the poets and artists, who live in Manila—I am told they are a civilized people—that we shall undertake to say that they shall not drink wine or beer, or they shall not be imported into the islands.

What will the civilized people think of our ideas of justice and liberty, especially when Congress allows all kinds of liquors sold in the District of Columbia and Territories of the United States.

We have already voted here that at the post exchanges or canteens at all Army posts no whisky or spirituous liquors shall be sold, and it seems to me that will protect the Army largely in Manila as it will do in the United States.

Mr. President, this is a drastic measure. The United States has sole and exclusive jurisdiction over the District of Columbia, over New Mexico and Arizona, and if the Senator from New Hampshire wants to test this question, here is a broad opportunity, where we know all the conditions and where the civil power is in full control. We have soldiers stationed here in the District of Columbia, and we have soldiers stationed in Alaska, in New Mexico, and in Arizona. Now, would you vote to take from the people of those Territories their right to drink beer and wine because saloons exist? We have never done so.

Mr. GALLINGER. Mr. President, the Senator possibly was not in the Senate when I made an effort in that very direction, so far as the District of Columbia is concerned. He was in the Senate when I made an effort to protect the people of Alaska in that way. I was voted down in both cases. Possibly I will be voted down to-day; but the Senator will, of course, allow me to suggest to him that my action is quite consistent with my former action on this question.

Mr. ELKINS. But I think it would be more opportune just now, under the circumstances, for the Senator to practice again on the District of Columbia rather than on the distant Filipinos, who are in a state of war and where we have a commission and an Executive with full power to deal with the question as the commission and the President may see fit.

Mr. GALLINGER. There is no bill pending on which I could do that; otherwise I would.

Mr. ELKINS. This amendment opens the door widely. It begins on a policy that we are not prepared for, as the Senator from Montana has so wisely stated. What we are to do with the Filipinos no one knows; and this question, with others equally important, can wait and be left to the commission, especially since the soldiers under the recent amendment are prohibited from getting wine, beer, or spirituous liquors at any post exchange or military station in the United States or elsewhere.

For these reasons, Mr. President, I think the amendment ought to be laid on the table, and we who vote to lay it on the table should not be charged with opposing temperance. I am willing, in any reasonable and practical way I can, to do what I may to diminish the evils of intemperance, but I do not wish, at an inopportune time, to begin with the Filipinos in a state of war 8,000 miles distant.

Mr. MONEY obtained the floor.

Mr. HALE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Maine?

Mr. HALE. Will the Senator yield to me briefly?

Mr. MONEY. How long will the Senator occupy?

Mr. HALE. Only a few moments.

Mr. MONEY. Very well.

Mr. HALE. Mr. President, I am not much troubled by the objections that have been raised to the amendment submitted by the Senator from New Hampshire. I agree that the time has not come for general legislation upon the Philippines, their condition and their future, and the authority of the Government respecting them. But this amendment is not general legislation. It is practically an amendment that goes with the Army. It largely relates to the good conduct and good health of the Army, and therefore is not subject to the objection that it opens general legislation.

But I did not rise for the purpose of discussing that amendment. There is no need, Mr. President, of darkening counsel about the objects and purposes of this bill. We are confronted for the first time in nearly forty years with the question of establishing by law a permanent large Regular Army, and there ought to be no doubt as to what the objects are for which that Army is to be used. The burden is upon Senators who favor the proposition.

Now, the object is clear and plain enough. It is to be a fighting army. It is not to fight in the old States of the Union; it is not to fight in Alaska; it is not to fight in Porto Rico; it is not to fight in Cuba; it is not to fight in China. It is to fight in the Philippine Islands. Were it not for that unmistakable fact there would be no committees here that would venture to ask for the increase of the Regular Army as a permanent establishment up to 100,000 men. It is as clear as day that this is the object of this increase of the Army.

Now, the question is, Is this large army there needed? I wish that the committee generally, and Senators advocating this measure, had been as frank with us as was the Senator from New Jersey [Mr. SEWELL], who told us plainly that the conditions in the Philippine Archipelago were such that from 70,000 to 80,000, and perhaps more, men were needed there to complete the conquest of the islands. When he was asked if the conditions depicted by the President—the roseate hues that had been thrown about those conditions by the President—existed, he declared that they did not. He said that there had been a revival of the hostilities of the Philippine population, and that all these men would be needed to insure the subjugation of those islands.

Mr. JONES of Arkansas. Will the Senator allow me a question?

The PRESIDING OFFICER. Does the Senator from Maine yield?

Mr. HALE. I have only a few minutes, by the courtesy of the Senator from Mississippi, and I would rather not be interrupted. Still, I yield.

Mr. JONES of Arkansas. The Senator has just stated that the understanding is that it is necessary to have 60,000 or 70,000 or perhaps 80,000 men to complete the subjugation of the Philippine Islands. The fact, as I understand it, is that we have about 70,000 men there now.

Mr. HALE. I am coming right to that as the reason for my action upon this bill.

In the same direction as the statement of the Senator from New Jersey is the report of every military authority in those islands. The commanding general there tells us that we will need nearly or quite a hundred thousand men for some years to come in order to complete the work upon which we have embarked.

Now, Mr. President, if that be so, whatever may be our belief as to the wisdom of the policy to which we are committed, we have got to consider the real situation. What is it? There are to-day, speaking in round numbers, about 70,000 troops engaged in conflict in the Philippine Islands, in a conflict which the Senator from New Jersey told us, while it is not like a great battle, is, from its many small conflicts, as fatal in its results—not only in casualties, but in disease and the other things that deplete a force—as a battle.

Now, what shall we do? I would be very glad to see the form of negotiation adopted and find out if a fair and just result can not be reached with the Filipino leaders, and I so voted the other day; but the Senate will have none of this, and has so decided. I would be glad to see a temporary force grafted on the small Regular Army for one, two, or three years. It would cost no more than the Regular Army, because, as was well brought out by the Senator from Mississippi [Mr. MONEY], no contingent of northern troops can be maintained more than two or three years in a tropical climate in a condition of war. But the Senate will have none of this; it has so decided.

We will be, then, Mr. President—and this is in answer to the Senator from Arkansas—with the withdrawal of troops between now and July 1, the expiration of terms, the reduction by sickness and by casualty, unless something is done here, with about 20,000 United States soldiers in the Philippine Archipelago, and that is all.

Now, what will be the result of that? It is as plain as day that the United States forces will be driven by the Filipinos into the city of Manila, hedged in there, and will be most fortunate if they are not driven into the sea. I do not believe that any Senator would desire that to come about. With my objection to this policy and my belief on all these questions as to the unwisdom of the course we are pursuing, I would not want to see a dwindled and belittled and fading remnant of an American force driven by the inhabitants of the islands—whether they be struggling for freedom or struggling as an insurrection, or whatever it may be—into the city of Manila and cooped up there, with the possibility of their being driven into the sea. No man and no party can stand that for one moment.

Therefore, Mr. President, as I am driven either to that condition or to voting for this bill, as all other expedients and all other purposes and policies have been voted down, or will be, I am constrained, as much as I am opposed to it, to support this measure. I do not do it with my eyes closed. I see it all. I take no stock in the talk which has been heard here that, as the country increases, it wants an increased Army. There is no force in that. We increased, we doubled and trebled our population from the time when we cut down an army of a million men to one of 25,000 men, and no man ever heard of a proposition to increase the Army—although we were having Indian wars constantly; conflicts, and tragedies, and defeats on the frontier—with one exception, in my first service in this body, when a bill was reported from the Military Committee to increase the standing army 5,000 men. No attempt has ever been made for such an increase. The Senator from Iowa [Mr. ALLISON], the veteran of this body in service, remembers that, and the Senator from Colorado [Mr. TELLER] will remember the contest that ensued upon that proposition to increase the Regular Army by 5,000 men. He will remember the participation that he and I took in that measure, and that the Senate sustained us by a decisive vote, and said we would have no larger Regular Army.

Mr. President, aside from this need which our policy in the Philippine Archipelago has brought about, 30,000 men are ample for a Regular Army—15,000 for the coast defenses, 5,000 perhaps in Alaska and Porto Rico, and the balance upon the frontier. That is every soldier that we need.

I do not want to see the country familiarized with a large standing army. I do not want the soldier to be constantly in presence all over this land. Five hundred men, distributed throughout the country at a half dozen of each of the great cities for any possible emergency, is enough, and therefore, I say, that I do not vote for this measure with my eyes closed as to the danger of a large permanent Regular Army. I know what it means; I know how difficult it will be to ever reduce the Army, although it ought to be reduced when the emergency is over.

When we pass this bill, as we shall pass it, I do not envy the authorities who have got to put it in force. I am glad that the executive part, the carrying out of this measure, will be in the hands of so able, discreet, and patriotic a man as the present Secretary of War. That is one reason why I am willing to trust this great enlargement of military power to the War Department. I am glad that he is at the head of the War Department; but he will have no easy task to bring recruiting up to the measure which this bill demands. The best that has been done or could be done in the Army in the way of enlisting during the past year has been at the rate of 1,000 a month. In five months between now and the 1st of July that rate would only give eight or nine thousand men. I do not know where the Secretary of War will get his forces. It is a remarkable thing that with all the war feeling and all the enlistment there is of public sentiment in favor of this policy of the war, nobody wants to go to war.

Do Senators know that, with the great naval establishment we have got, the Navy Department was only able to enlist, between September, 1899, and September, 1900, 300 men in the Navy. Men do not want to go into the war, but I am willing to leave all that to the Administration. We shall go on increasing the naval establishment, and there, Mr. President, is where the clash of arms will come. That is one reason why we shall not need, as soon as we get through with this Filipino business, a larger army than 30,000 men.

The clash of war will never come to us upon land. It will be upon the waters of the globe, and the critical task will be put upon the Navy. It ought not to be argued that because we are increasing the Navy we ought to permanently increase the Army. The argument is precisely in the other direction. Because we do largely increase the Navy we need not permanently increase the Army.

Therefore, Mr. President, because of these reasons, I am constrained to vote for this measure, for, without it, almost immeasurable disaster and tragedy may fall upon our army in the Philippine Archipelago.

Mr. MONEY. Mr. President, I yield to the Senator from Tennessee [Mr. BATE] to offer an amendment.

Mr. BATE. I offer an amendment to this bill, the amendment I previously offered having fallen by the wayside.

The PRESIDENT pro tempore. The Senator from Tennessee offers an amendment to the pending bill. Does he desire to have it read?

Mr. BATE. Yes, sir; it is very short.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 40, section 24, line 9, after the word "Army," it is proposed to insert:

And this right shall not be denied to any volunteer who has been or may hereafter be honorably discharged from service in the United States Army.

Mr. MONEY. I send up to the desk an amendment, which I ask the Secretary to read.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Mississippi will be read.

The SECRETARY. It is proposed to amend, on page 30, renumbered section 17, line 11, before the word "paymasters," by striking out "three" and inserting "four;" in the same line, after the word "colonel," by inserting "and assistant paymaster-general, five," and striking out "four;" in line 13, after the word "lieutenant-colonel," by inserting "and deputy paymaster-general, twenty," and striking out "nine;" and before the word "paymasters," in line 15, by striking out "seven" and inserting "five;" so as to restore the text of the House bill.

Mr. MONEY. My object is to strike out the Senate committee amendments and insert the provision in relation to the pay department as it came from the House of Representatives.

I will state first, Mr. President, that I agree with the Senator from Maine [Mr. HALE] that this bill will become a law, and, while I trust a good deal to the committee, as the Senate must necessarily do in order to have intelligent legislation, yet I will say, appreciating the idea that we are to increase the size of the Regular Army to 100,000 men, and notwithstanding we are constantly extending our posts in the Philippine Islands, yet the paymaster's corps here is cut down to what I consider an insufficient number.

I desire the Secretary to read a letter which the Paymaster-General addressed to the Secretary of War, to be found in the CONGRESSIONAL RECORD of December 6, 1900, and then I will proceed very briefly to discuss the amendment.

The Secretary read as follows:

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,
Washington, December 3, 1900.

SIR: Will you permit me, as head of the Pay Department, to respectfully call your attention to the fact that the organization of the Pay Department as proposed in section 20 of the bill for the reorganization of the Army, copy of which has been furnished me from your office, does not, in my judgment, give us sufficient force to perform the duties which the Pay Department is called upon to perform.

The present number of officers in the regular and volunteer force of the Pay Department is, aside from the Paymaster-General, 55. The proposed bill gives us 43, a reduction of 12 officers. At the present moment there is but one officer of this department on leave of absence, and he was granted one month's leave from the Department of California, succeeding his return to this country from a two years' detail in the Philippines. There is not an officer in the service who could be granted a leave for two months without detriment to the service, unless his place could be filled by some other paymaster during that time.

As the Army is now distributed, we have between four and five hundred different stations to pay in the Philippines, and we have there and en route there 26 paymasters, and I have constant reports of the very severe service the officers there are called upon to perform and the necessity for more help. If the force is reduced it must be by taking away some of the officers from that point, as there is not now stationed within the limits of the United States a single officer whose place could be made vacant without detriment to the service.

Very respectfully,

A. E. BATES.

Paymaster-General, U. S. A.

The SECRETARY OF WAR.

Mr. MONEY. That is the statement made by the Paymaster-General of the Army in view of the fact of the continuous, arduous, and efficient services of his corps under great difficulties. A position in the Paymaster's Corps is not a bomb-proof position. I have it from one of the most distinguished officers of the Army, highest in rank, that that service is about as dangerous as that of a man who is in line on the battlefield. In fact, to-day I have it from the highest authority that to take a journey of 2 miles from a garrison post in the Philippine Islands is more dangerous than to go upon the firing line on the battlefield. We have to-day 420 posts in 15 islands of the Philippines, the troops at all of which have to be paid.

The suggestion has been made in the hearings before the House committee that these men should be paid by checks; which checks are at a discount of 4 per cent in Manila, and consequently that idea was not tolerated.

The present strength of the Army in the Paymaster's Corps, with the new men who will be dealt with hereafter and with a much greater number of posts than we have at present, is as follows: One brigadier-general, 2 colonels, 3 lieutenant-colonels, and 50 majors, making a total of 56.

The House bill provides for 1 brigadier-general, 4 colonels, 5 lieutenant-colonels, 20 majors, and 25 captains, making 55, or one less than those which now do the service in the Army.

The Senate bill reduced the number to 1 brigadier-general, 3

colonels, 4 lieutenant-colonels, 9 majors, and 27 captains, making a total of 44. In other words, we have a reduction of 11 from the House bill and 12 from the present force.

Mr. SPOONER. Will the Senator allow me to interrupt him a moment?

Mr. MONEY. Certainly.

Mr. SPOONER. In confirmation of the argument which the Senator was making a moment ago, I should like to read an extract from a letter written by a gentleman serving in the Philippines entirely competent to testify, and a man entirely worthy of credit. He says:

So far as the dangers of the service—

That is, the pay service—

are concerned, at least up to the present time in these islands, I will venture that there is not now and that there has not been a paymaster here but would gladly have exchanged places with a battalion commander on the firing line. They are called upon to travel many thousands of miles every year on old and frequently poorly-managed boats, in waters often so disturbed by typhoons, monsoons, and hurricanes that their lives are endangered every hour. This condition of things, together with their money responsibilities, having with them frequently on such trips from \$50,000 to \$250,000, rendered the position of paymaster a most trying one to the man of ordinary nerve and constitution.

Mr. MONEY. That is in line with the information that I have received from several quarters. There is another Senator present, who has a friend in the Philippines who is a paymaster, and he makes the same report—that he is in more danger in performing the duties of paymaster than if he were an officer of the line and took chances in the daily battles which seem to occur there.

There are, as I said, in 15 of the Philippine Islands 420 posts or garrisons, the men of which must be paid, and paid by these paymasters in person. Before the war we had in all the United States, I believe, about 120 posts. The force was then a total of 26 officers, the payments monthly, and the force was sufficiently occupied. Now the Army is about four times as large, more widely distributed, and paid by a force (but not with the requisite promptness) of 56 officers; and as to the Philippines, and because of the limited number of officers, payments are made every two months, or as nearly so as possible. In other words, the work is not done promptly by the present force, not because those men do not do everything that is in human power to do, but because their numbers are insufficient.

There are 102 posts in the United States, 8 in Cuba, 8 in Alaska, 4 in Porto Rico; that, except as to the one hundred and twenty-odd miles of railroad in the Philippines, all other means of land communication is of the crudest kind and surrounded with danger; and that with the present number of 55 working paymasters it is at times impossible, in the Philippine group, to pay the Army there with reasonable regularity, it will be easily understood that the present strength of the Pay Department, 56 officers, is the minimum force under which payments can be effected.

It is very encouraging to a soldier to get his pay with regularity. It will not do for him to run an account with the post exchange, or with the post trader, or with the nearest shop. He ought to have his money with regularity, and it ought to be in current coin of the realm, and not in checks that are at a discount of 4 per cent, or any other per cent. Many of these paymasters are worked so assiduously that they have not had their leaves of absence, but they have been compelled by the necessities of the service to remain at their posts.

While, of course, the committee must have had before it some information which guided their judgment in this matter, yet I can not understand why, if we are to increase the size of the Army, we should reduce the force of the Paymaster's Department, when difficulty is now experienced by that force in doing its work promptly.

I do not wish to make any extended remarks. I present this amendment with these few observations and the letter of the Paymaster-General. It seems to me that the committee should accept the amendment without any debate, for certainly we will find difficulty when the paymaster's force is cut down and the Army at the same time is increased.

It would appear, if I had not the greatest confidence in the committee, that this was an attempt to get rid of somebody and to put in somebody else, which I know has been done sometimes in some of these departments; but I certainly will exonerate the honorable committee from any purpose of that kind.

I see the distinguished Senator from Vermont [Mr. PROCTOR] on his feet, and if he will give me any information why this force was cut down, I shall be very glad to hear it.

Mr. PROCTOR. Mr. President, all of the staff corps will claim, and they have claimed before the committee, that they have not force enough. The Secretary of War very carefully took the views of every chief of corps before submitting his measure to Congress. The House committee did not have hearings, but I wish to say that their bill as it was reported to the House is just what we recommend. The additions made in regard to the Pay Department were made on the floor of the House.

I think the corps is sufficiently provided for. I have no question

about that. The matter has been, as the Senator from Missouri [Mr. COCKRELL] said, very carefully studied, and Senators will recall that that Senator said the bill was as good as it possibly could be made from the standpoint of this increase of the Army.

The Pay Corps have been somewhat slow to adopt modern methods in the use of checks and envelopes for making payments. It has been the custom to send a paymaster, even where there was a very small number of men. They have now partially adopted the ordinary business methods of paying, but the percentage of expense of paying the Army is several times greater than it is in paying the employees of any corporation in existence in the country. Statistics were obtained on that subject some ten years ago. I can not give them now, but I say the expenses are several times as great.

In regard to the need of more paymasters, I wish to call the attention of the Senate to the fact that there are 25 regiments of volunteers going out of service and that there are only 15 added to replace them, and 5 of those are artillery that will be stationed along the seacoast here in this country, so that the trouble of paying them will be very slight.

There has been no serious trouble with the number of officers in the Pay Department. The present Paymaster-General was for a long time after the war serving as military attaché at the Court of St. James, and if there had been a pressing need for the services of every officer he would doubtless have been brought home.

There is another fact that I know very well—that the head of the Pay Department proposed not long ago that there should be turned over to his department other work—the disbursing for the Quartermaster and Commissary departments. He has himself argued it to me as a desirable thing to do. One ground of his argument was that the Pay Department had a good deal of spare time, that their work was brought up every month, and they could just as well as not do this additional work. There is no question, Mr. President, but what the Pay Department is well provided for by this bill.

Very great pains have been taken by the Secretary of War and by the committees of both Houses to provide a sufficient force and equalize, as far as possible, the various staff corps in the way of opportunities for promotion and to assure them sufficient force to do all the work required.

Mr. MONEY. I desire to say that my amendment simply restores the text of the bill as it came from the other House. I understand the House committee did have hearings; and the proposition about checks was rejected because the checks paid out at Manila were at a discount of 4 per cent.

As to the number of soldiers by which we are now about to increase the Army, or keep it at the point at which it is now, the difficulties of paying the troops promptly and with regularity depend a great deal more upon the number of posts than upon the number of men. The number of posts, which has been so greatly extended in the last year, makes the duty of the paymasters exceedingly great. All the representations I have heard have been that there has been great difficulty in performing the duty; that it has been performed with irregularity; and, instead of monthly payments, we have bimonthly payments. We have, for instance, 420 garrisons in the Philippines. Are you going to send checks to each one of those garrisons? A paymaster must go there in person, and he must have an escort or be in peril of his life. So, if we extend the garrisons in the other islands, one after the other, we will have still more difficulty in meeting promptly the payments due the soldiers.

I had hoped the committee would accept this amendment. I shall ask for a vote of the Senate upon it at the proper time, for I can not see, with the difficulties that we have at present, why we should reduce the present force by 12. In a corps, which is a small one of 55, it is proposed to reduce it to 44 by the Senate bill.

Mr. McCUMBER. Mr. President, I desire to call the attention of the Senate to an amendment I have proposed to this bill.

I desire, however, to deviate from that for a moment just sufficient to express my gratitude to the Senator from Maine [Mr. HALE], who has so strongly and ardently echoed my own sentiment with reference not only to the insufficiency of 100,000 men in the Philippine Islands, or an army of 100,000 men at the present time, but also in reference to the matter of 54,000 being more than we need in time of peace.

Mr. President, we seem to have overlooked the fact that the greatest open enemy we have in the Philippine Islands to-day is not the Filipinos, but the climate. We seem to have overlooked the fact that while 1 man is killed by the bullet of an open enemy, 50 men are slain by climatic conditions to which they are not accustomed; that while 1 is wounded and disabled in that way, a hundred men are brought back sick.

So it seems to me that the dictates of mercy, if nothing else, would require that we have a sufficient army at the present time to dispel the insurrection there, and it seems to me, with the number we have there at present, we are forcing upon the Administration a dilly-dallying policy with the insurgents. I believe the

insurrection will not be put down in a year or a year and a half with the Army we have at the present time, and that that Army should be greatly enlarged.

But, Mr. President, calling attention to the amendment which I have offered, I ask Senators to direct their attention to page 31, after the word "nine," in line 4. Preceding this we find there is in section 17, on page 30, this provision:

And provided, That persons who have served in the Volunteer Army since April 21, 1898, as additional paymasters, and whose age at the date of appointment shall not exceed 40 years, may be appointed to positions in the grade of captain, created by this section, and the persons so appointed to the grade of captain shall be promoted according to seniority to vacancies in the grade of major occurring after the number of majors has been reduced to nine.

This limits the operation of that section to officers whose age at the date of appointment shall not exceed 40 years, although they have occupied positions as paymasters or additional paymasters in the war with Spain or with the Filipinos.

Now, in order to make my objection clear, I wish to say that this provision eliminates from consideration by the President many worthy soldiers who are applicants for positions of this character. There is on file an application to-day by a man from my State whose record is as follows, and I briefly desire to give the Senate the record:

He was a private of Company B, Thirty-fourth Illinois Infantry Volunteers, and served from September 1, 1861, to September 19, 1862; honorably discharged for disability contracted in line of duty. First lieutenant, Company B, One hundred and fortieth Illinois Infantry Volunteers, from May 2, 1864, to October 19, 1864; honorably discharged—expiration of term of service. Captain of Company B, One hundred and forty-seventh Illinois Infantry Volunteers, from February 7, 1865, to February 6, 1866; honorably discharged at close of war. Major and additional paymaster, from May 28, 1898, to June 13, 1899; honorably discharged on account of the reduction of the Army.

A man who has served through all of the rebellion, except for a few months when he was disabled, joined the Army again and has been promoted from one position to another, has served honorably and fairly in the war with Spain and in the Philippine Islands, is denied a position of this character by reason of the terms of the bill. I have introduced this amendment to govern cases of that kind. The amendment provides:

Provided, That the age limit provided in this section shall not apply to persons who have served as soldiers or officers in the civil war and as paymasters or additional paymasters in the war with Spain or in the Philippine Islands.

After introducing the amendment I felt that it was not broad enough, that it was still restricted on account of its referring to those who had served as paymasters or additional paymasters in the war with Spain. Therefore I prepared a substitute, which I will send to the desk, and I ask that the substitute may be considered in place of the original amendment. This substitute is, after the word "nine," in line 4, on page 31, section 17, to insert the following:

Provided, however, That any person who has served as a soldier or officer in the war of the rebellion or in the war with Spain or in the Philippine Islands and has received honorable discharge, or is still in the service in the Philippine Islands, shall be eligible and may be appointed paymaster or additional paymaster under the provisions of this section.

I think we can safely trust the Executive with as broad an amendment as this, and that only persons who are properly qualified will hold these positions. At the same time it will give the President the opportunity to use his discretion in the appointment of soldiers who have served, as the one I have mentioned, during all of the civil war and in the war with Spain and in the Philippine Islands, and yet are more than 45 years of age.

Mr. President, I have another amendment to the bill, which is as follows: After the word "mounted," on page 30, line 3, insert the following:

And the sum of \$1,800 per annum after five years' service.

This pertains to persons who have been appointed as veterinarians. Under the section as it now stands no veterinary surgeon can receive a salary to exceed \$1,700, I think, after five years' service. Under the present provisions of the bill he is entitled to \$1,500 salary per year. It has been fully demonstrated here, I think, to the satisfaction of everyone, that this profession is such that it demands proper recognition in the pending bill; that it is a profession which requires years of study. It seems to me that the same rules that apply in civil life and apply in political offices should apply in matters pertaining to the military. In other words, if a profession is such that one in it would receive on the average a certain compensation in all civil affairs, it seems to me that if the Government employs the same character of service the Government should pay what would be received on the average by men of equivalent education in civil life.

A second lieutenant, mounted, receives, I believe, \$1,500 per annum, and the question then arises, if that is a proper salary for a second lieutenant, mounted, or a first lieutenant, whichever this bill provides, is it a proper salary for a man who has given three or four years to special study of the character necessary to entitle

a man to a diploma in any good veterinary college? It seems to me that it requires more study, that it requires greater education, that it requires a man of greater acquired ability to hold this position than it does to hold the position of first or second lieutenant in the Army. While the one is educated at the expense of the Government, and his salary is paid continually after a certain time of service, the other, as a rule, is compelled to educate himself, and ordinarily comes from among that class of young Americans who have no assistance whatever in their education, because if they did, the chances are ten to one they would not accept this particular position.

It seems to me that when we increase the salary to \$1,800 after five years we have done less than is justice by men of this class. It is well known by every Senator here that the salaries fixed for the different officers in our military ranks are, upon the average, about double what men of the same caliber, the same education, the same ability, would receive in all the vocations or professions of civil life. Then you take one class, and you fix a salary for them which is far below what they would receive outside upon the average. I am not interested whether or not these veterinary surgeons have gold rope on their uniform, or whether or not they have rank. It seems to me that they are entitled to some rank, but whether they are or not, they certainly are entitled to a compensation which is fair and just, and for that reason I hope the amendment will be adopted.

Mr. SPOONER. Mr. President, in the present situation of the pending bill it would not be fair for any Senator to take much of the time of the Senate, and especially any Senator who has heretofore spoken upon the bill. I am opposed to the amendment offered by the Senator from New Hampshire, either as it has been offered or as he proposes to amend it, and I am also opposed to the adoption by the Senate of the amendment offered by the Senator from Massachusetts. Taken together those amendments amount to this: A prohibition of the importation into the Philippine Archipelago of any distilled or spirituous liquors, except for medicinal purposes; the revocation of all licenses granted to liquor saloons in the archipelago, as provided by the amendment offered by the Senator from New Hampshire; and the prohibition of the sale or manufacture in the archipelago of any liquors, distilled, spirituous, or malted, or wine.

This is a very general proposition, taking these amendments together, and I consider them as one because my objection extends to all of them. They are not to protect the Army. The Senate has already adopted a provision intended to protect the Army. They are general in their operation. If adopted they would be in operation throughout the entire archipelago.

The President and the generals can protect the health of the Army. It is not necessary to that end that we enact a law embracing in its operation 10,000,000 people, new to us, and comparatively unknown to us.

The Senator from Massachusetts [Mr. LODGE] stated, and stated accurately, that the commission has already, perceiving the evil results of American saloons operating in Manila, diminished the number, removed them entirely from one part of the city, and is holding them under regulation. But he seems to think that because some one in the Senate has criticised the commission, or criticised the President, we should enact this legislation. I can not support propositions simply to avert such criticism which otherwise are for any good reason unwise. I would not be willing to be classed among the men who are in favor of intemperance, if there be such. I yield to no man in my desire to promote in every efficient way temperance and sobriety among the people, but I regard these amendments offered to the pending bill (a bill for the reorganization of the Army), applicable only to the Philippine Archipelago, as essentially dangerous and mischievous in their inevitable effect, if adopted.

Our position there, and I think Senators ought to give some attention to it, is a peculiar one, so far as governmental powers and affairs are concerned. Any civil government over there created and maintained by the President is essentially a government by Congressional sufferance. We are engaged in war with no nation, but so far as the operations there are concerned, they are conducted by the President under his war power, and he is there under his war power. The case is not different from that of California, where, after California had been ceded to the United States and after the ratification of the treaty, a government was continued until Congress made other provision. Laws were made; regulations were put in force. Their validity afterwards came before the Supreme Court of the United States in the case of *Cross vs. Harrison*, and the Supreme Court decided that it had become American territory; that Congress under the Constitution had the power to adopt rules and regulations respecting it, which has been construed by the Supreme Court to extend to the government of it in all ways, if Congress chooses, but that the military government established there continued until Congress, in the exercise of its constitutional power, saw fit to create a government.

That must be true, because, otherwise, until Congress legislated, if the military government—the power of the President in the exercise of his war functions—did not exist, there would come to be territory under the sovereignty of the United States in which there was no lawful government, the President without power and the Congress not having acted. So the court said:

The President might have dissolved it by withdrawing the Army and Naval officers who administered it, but he did not do so. Congress could have put an end to it, but that was not done. The right inference from the inaction of both is that it was meant to be continued until it had been legislatively changed.

It retains that status until Congress acts. Up to this time Congress has not acted. Congress has passed no law to be put in operation in the Philippines, as we legislate for the Territories, as we have legislated for Porto Rico, as we legislate for New Mexico. This field, it seems to me, can not very well be occupied at the same time by the President, under the war power, and by Congress under the power to make rules and regulations respecting the government of Territories. It is a serious question to my mind—although I can not take the time to discuss it, and I wish only to suggest it—how far the power of the President, as it now exists, is trenching upon by the assumption of Congress to pass laws effective only in the archipelago. It is worth considering whether, when Congress begins to enact laws to operate in the Philippines, the war power of the President there is not ended. It would be his duty as President to suppress insurrection. I doubt if we can very well provide—

Mr. TELLER. Mr. President—

Mr. SPOONER. I hope the Senator will not interrupt me. I do not wish to take very much time.

Mr. TELLER. I can not allow that statement to go unless the Senator makes it a little more explicit. I want to know whether he is denying the right of Congress.

Mr. SPOONER. Not at all.

Mr. TELLER. I thought he did.

Mr. SPOONER. Not at all. We have, no doubt, the power to pass the amendments. I think we have power to pass any law, that does not violate the social compact, in relation to the Philippines. I stated directly to the contrary of what the Senator from Colorado supposed. But up to this time the responsibility of government there is left to the President. The source of that power need not be discussed. When Congress begins to legislate for the Philippines, to occupy that field which it may at any moment under the Constitution absorb, as I stated before, I think we ought to be prepared to legislate to a greater extent than is proposed by these amendments. We ought to be prepared to provide some sort of a government for the Philippine Archipelago. We are not prepared to do that now. I hope we will be sometime.

Mr. TELLER. When?

Mr. SPOONER. The Senator can answer that question as easily as he can ask it, perhaps. I can not. I can not undertake to say when we will be ready to legislate for the Philippines. I should say that we will not be ready to legislate for the Philippines until we shall have sent a joint committee from both Houses over there to investigate thoroughly the situation there, the people, the form of government which would be adapted to them. That we have not done.

Mr. TELLER. Are we likely to do it?

Mr. SPOONER. I hope we will do it.

Mr. TELLER. When?

Mr. SPOONER. I hope we will provide for it before this session comes to an end.

Mr. TELLER. I see no signs of it.

Mr. SPOONER. I have intended to propose a resolution of that kind, and I shall endeavor to do so.

Mr. HALE. It ought to be done.

Mr. SPOONER. Of course it ought to be done. Congress ought to know the exact situation in the Philippines in every aspect, and it seems to me to be one of the first duties of Congress to provide itself with information upon which can be adopted a reasonable and sensible legislative policy of some kind as to government in the Philippines.

Mr. President, above all other things we want to win the confidence and friendship of the Filipinos. We want to show to them that our purpose is in their interest; that it is a kindly purpose; that we propose to treat them certainly as we treat other portions of the territory under the sovereignty of the United States. I do not think the first legislation by Congress ought to be discriminatory legislation or legislation which deals simply with the habits of the 10,000,000 people in the archipelago. I do not think it ought to be an attempt to regulate their morals in advance of some legislation to provide them with an adequate and proper government.

No proposition of this kind has been made with respect to Porto Rico. No such thing is proposed as to Hawaii. But it is proposed to introduce at once, by legislation upon a bill for the reorganization of the Army, prohibition in the Philippine Archipelago. That would interfere with laws which have been in force there for

hundreds of years, with the habits of a people of which we know very little. It would be singling them out for an experiment which in our own States has been, in some instances at least, unsuccessful; for legislation which never anywhere can be put in force and rendered efficient without public opinion having been educated to a standard which will maintain it.

I can conceive of no legislation which would bring more quickly upon this country hatred and resistance than the propositions which are made here in the alleged interest of temperance. They may very well say: "Why do you, in your first legislative attempt, provide a different standard for us, knowing so little of us, than you adopt at home? Why do you prohibit the importation of liquors, distilled or spirituous, into our archipelago, introducing a rule, which is novel to us in every way, when in the District of Columbia, where you have exclusive jurisdiction, you license saloons which fill your soldiers and your people with drink?"

They may very well say, "Why, if you think no person should be permitted anywhere within the sovereignty of the United States to drink a glass of wine or a glass of beer, is it permitted in the very Capitol itself to drink wine and to drink beer?" It may be very true that it would be better for that people if no intoxicating drinks ever touched their lips except for medicinal purposes, but they have been accustomed to it all their lives, and you can not suddenly, by an act of Congress, stop it without producing results which would be disastrous, in my judgment.

We know too little about the Philippine people to now attempt legislation of that kind, if we should ever do it. When we shall have provided them with a government such as they ought to have, if we are to legislate upon that subject, it will be a matter, I suppose, then largely for their own option, as it is here. They ought to be consulted when the time comes as to their wishes upon the subject, certainly within reasonable limitations, as the people are in most of our States. I should be very sorry indeed to see adopted at this time amendments of this character. I should be very sorry to see Congress thus enter the domain of Philippine legislation. I think we ought to legislate fully for these islands only after full and complete investigation, after the utmost thought and preparation. Until then we ought to leave it as it is now to the President and to the agencies which he may find it wise to employ there.

There is one thing discriminatory in this bill to which I wish to refer for a moment, and I shall have finished. It is provided that the President may, in his discretion, enlist 12 native regiments in the Philippine Archipelago. I think it is a wise provision. How far he will be able to enlist them I do not know. It is provided that 3 battalions of natives may be enlisted in Porto Rico. But it is provided, as to the men enlisted in Porto Rico, that they shall have the pay, the clothing, and the ration allowances of the enlisted men of the United States Army, while it is provided that as to the 12 regiments enlisted in the Philippines they shall have half pay, and I am opposed to a legislative discrimination of that character.

Mr. DANIEL. I call the attention of the Senator from Wisconsin to the fact that I have offered an amendment, which is as follows:

The pay and allowances of provisional officers and enlisted men shall be the same as those of officers and enlisted men of the Regular Army.

Mr. SPOONER. I also have offered an amendment, a little different in character and more flexible than that. I did it in that way because there is a difference between the home pay, so to speak, as I understand, of the enlisted man in the Regular Army and the man who is serving in the Philippines. I have left it largely to the discretion of the Secretary of War as to what he may do, but I should be very sorry to have the present provision remain, and I should not like to vote for the bill with that in it.

Mr. HALE. Mr. President—

Mr. SPOONER. Will the Senator permit me to finish the sentence? I should not want to vote for the bill with that in it—that a man anywhere is to be enlisted in the Army of the United States, clothed in the uniform of a soldier of the United States, to fight under the flag of the United States, and offer his life a sacrifice under our flag, with a provision that he should have only half the pay given to the other soldiers of the United States serving around him, perhaps on the same field with him.

Mr. HALE. Mr. President—

Mr. SPOONER. Now, I will listen to the Senator from Maine if he will not say anything that will take much time to answer. I want other Senators to have an opportunity to speak.

Mr. HALE. The Senator never takes too much time, so far as my observation goes.

Mr. SPOONER. Oh, yes; I take more time than I wish.

Mr. HALE. We are always glad to listen to him. I am not a member of the Military Affairs Committee, but it is not likely that this discrimination as to the pay has been made, as it is in all military establishments, particularly in England, because the scale of everything is so much lower in those Oriental countries than it is here?

Mr. SPOONER. That may be. I have been told that is the reason.

Mr. HALE. I can understand that if we gave a possible troop—there is only a possible troop in the Philippine Islands—the same pay that we pay to our soldiers here, the next demand would be that our soldiers here should be paid double, because it does not cost the Filipino one-half or one-quarter as much to live as it does here.

Mr. COCKRELL. One word. Will the Senator permit me?

Mr. HALE. Yes.

Mr. COCKRELL. We were told, I believe reliably, that the rate we are paying our soldiers is double the rate of wages throughout the island of Luzon.

Mr. HALE. I suppose that is true.

Mr. COCKRELL. If we give the native soldiers full pay, it will demoralize the whole labor market of the island.

Mr. HALE. I suppose that is it.

Mr. DANIEL. It would be a good thing to enlist them in the Army.

Mr. SPOONER. I have not supposed it was one object of this legislation, or, indeed, the expectation of the country, that wages in the Philippine Islands shall always remain as they have been under Spanish domination, or that, with the development of that country, they will not come to share some of the advantages in that respect that progress has brought to those who labor here at home. I have never known that the pay of the enlisted soldier was fixed with any reference to the general wages throughout the country. This sort of labor is very different, anyway, from the ordinary labor, because it is a part of the contract of the soldier, as it is no part of the contract of the ordinary laborer, in the Philippines, here, or anywhere else, that he will go into danger where his duty requires it, even to the maiming of his body or the sacrifice of his life.

Mr. HALE. What does the Senator think is the scale of pay that is maintained by Great Britain to-day for her soldiers who are engaged in subjugating the Transvaal compared with her army in India? Does he know? I know.

Mr. SPOONER. I think I know that Great Britain pays the native soldiers in India much less than she pays the soldiers of Great Britain anywhere.

Mr. HALE. She does not pay to her regular establishment of East Indians that make up her army one-fourth of what she pays to her soldiers in the Transvaal.

Mr. SPOONER. Great Britain's relation to India is very much different, I think, from our relation to the Philippines. Great Britain's methods have been and are in many respects, I think and hope, very different from what our methods will be in the Philippines.

I am not willing for one, Mr. President, to put upon the statute books a provision of law which shall discriminate as to the value of a soldier's life or his service. I think we ought to give all soldiers enlisted under our flag, serving under it, liable to be maimed under it, liable to die under it, the same pay, without discrimination. The amendment which I have introduced leaves that pay to be fixed by the Secretary of War, if it shall be found best to grade the pay. If it can be done without producing anger, indignation, it may be done; but I want the Secretary of War to have the authority, under the bill, to pay those men as high a rate of wage as we pay to the colored and white soldiers who are serving among them.

Mr. HALE. Now, what—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. SPOONER. Certainly.

Mr. HALE. The Senator and I are in the habit of having a colloquy here in good nature.

Mr. SPOONER. Always in good nature.

Mr. HALE. Now, let the Senator for a moment look at the other side. Our soldiers, who leave their homes here, who go to a far-distant place, who go to a climate to which they are unused, put their lives into the balance more than double what the native soldier does. The recruit in the Philippine Islands, who does not run any of those risks, who is a native, who enlists at home, who does not leave his home, who is used to the climate, has none of the dangers besetting him that our soldier has.

What would our soldier say if we give to the Filipino as much as we give him, or to reverse it, if we do not give to him any more than we give to the Filipino? What inducement would you have to fill up the ranks of the Regular Army, which we have got to do by enlistment, if you do not pay him any more than you pay the Filipino recruit?

Mr. TILLMAN. Mr. President—

Mr. SPOONER. The matter of expense—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. I hope the Senator will not interrupt me.

Mr. TILLMAN. I just wanted to suggest something to the Senator that will present this case in another aspect.

Mr. SPOONER. Very well.

Mr. TILLMAN. Shall we propose to pension the natives who are about to enlist as new soldiers? If so, are we going to cut their pensions one-half?

Mr. SPOONER. I do not know what the Senator—

Mr. TILLMAN. I make this inquiry in order to strengthen your position. I agree with you entirely, and I want the gentlemen who are opposing this justice, this equality, to explain how they are going to deal with these new islanders; if they are going to invite them into the Army to subjugate their fellow-countrymen, and if they are going to begin first by giving them half pay, and then half pension?

Mr. SPOONER. The remark which I was about to make was not in reply to the suggestion of the Senator from South Carolina, but it was in reply to the suggestion made by the Senator from Maine [Mr. HALE]. When the Senator says there is a difference in what is required to support a Filipino soldier at home and that required to support the American soldier, that is true; but when the Senator refers to the Filipino soldier as taking less chances than the American soldier, I do not understand him. I suppose if these men are enlisted at all they are to be enlisted to fight and to perform all the duties of a soldier; and I suppose the danger of death from a bullet well aimed would be quite as great to a Filipino as it would be to an American soldier, and quite as great to an American soldier as it would be to a Filipino.

Mr. HALE. So it would.

Mr. SPOONER. If these men are to serve among our soldiers, if they are to participate with them in fights, doing their part, I do not believe the American soldier will ever object to their receiving for that service and for encountering by his side that danger the pay which he receives.

Mr. HALE. Now, let me say to the Senator—

Mr. SPOONER. We paid the Indian scouts as we paid the enlisted soldier, I believe.

Mr. HALE. There was not anything like that difference in the situation. The danger from the bullet is the same, of course. The danger in battle is the same.

Mr. SPOONER. Is his life worth less?

Mr. HALE. No; but the danger to life is five times as great to the soldier who embarks from our shores and goes to the Philippines as it is to the native Philippine recruit. There are the matters of health, the regimen, the exposure, the climate. Everybody knows that the most expensive war, not only in money, but in life, is an expeditionary war, and this is particularly the case where troops are transported into other climates. The casualties are not in battle. While the number is very great of men we have lost in the Philippine Islands up to the present time, very few have been killed in battle. The Filipino runs that risk.

Mr. SPOONER. Many of our soldiers have been killed and wounded in battle.

Mr. HALE. A very small number.

Mr. SPOONER. A good many.

Mr. HALE. But the Filipino does not run any of the extra risks that our soldiers do. I should not want to feel that we are putting our own soldiers on a level with recruits from those islands. I should be sensitive about that.

Mr. SPOONER. Then the man who goes into battle and takes his life in his hands ought not to receive as much for it as the other man who goes into battle and takes his life in his hands under the same flag, because one is acclimated and the other is not?

Mr. HALE. Undoubtedly; that is a very serious consideration.

Mr. ALLEN. I desire to offer and have pending the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Nebraska offers an amendment to the bill, which he desires to have pending when the hour of 4 o'clock arrives.

Mr. STEWART and others addressed the Chair.

The PRESIDENT pro tempore. Complaint has been made to the Chair that, following the usual custom, he has had a list of Senators who desire to speak. The Chair admits that a list is contrary to the rule of the Senate, the rule of the Senate requiring the Chair to recognize the Senator, if he can, who first addresses him. The Chair, in response to the complaints, has destroyed the list which he had.

Mr. STEWART. Mr. President—

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. FORAKER. I observe the Chair has recognized the name that stood next on the list.

Mr. STEWART. Mr. President, I desire to occupy but a few moments. I want to enter my protest against commencing the civilization of the Filipinos by experimental legislation with regard to their habits and customs which has been tried in the United States and found wanting. It was supposed that in Maine you could have and enforce prohibition, and they succeeded because public sentiment was with them for a long time. I am told that it has been growing more and more difficult every day to enforce it there. Whenever the Filipinos want prohibition they will have

it, and not till then. Over here in Virginia they have local option. There are counties there where they enforce prohibition; in others it is not done. And so in other States. It is a matter being worked out in this country. I believe if any one thing is established it is that prohibition is impossible against popular sentiment, and it can only be worked out by long years of education, and popular sentiment must get up to it.

To start in with the Philippines with prohibition would seem to me to be a matter of irritation, putting off the day of reconciliation, putting off the day of good government indefinitely. My esteemed friend from New Hampshire has modified or proposes to modify his amendment so that it will read as follows:

That all licenses which have been granted by military or other authority for the establishment of liquor saloons in the Philippine Archipelago are hereby revoked and annulled; and hereafter no such licenses shall be granted, and the importation into or the manufacture and sale of beer, wine, and distilled spirits in said archipelago is hereby prohibited.

It is proposed that wine, beer, and everything shall be prohibited. Why, such a law would create a riot in Wisconsin.

Mr. TILLMAN. Or in New Hampshire.

Mr. STEWART. Or in New Hampshire or anywhere else. Is it proposed to create a disturbance there and make the establishment of law and order impossible? I need not elaborate on this point. Manifestly on its face it ought not to be done. We have never done it to any Territory. We attempted to exclude liquor from Alaska, and it turned out to be a perfect failure. Here we have gone on with a policy for a hundred years, and nobody ever thought of making experiments upon the people and irritating them. New Mexico, Arizona, and all of them have their own laws with regard to liquor. The Territories have been as free as the States to have prohibition or license or whatever they pleased; and that has been the beauty of the system.

If we do not intend that those people shall have local self-government at all, and if we put to them the most impractical feature of our legislation at first, of course we will have a failure. I object to the Philippines being an experimental station. If you want an experimental station, establish it in New Hampshire, or Maine, or Vermont, or anywhere else, but do not make an experimental station in the Philippines. If you do, you will fail. I am in favor of retaining the Philippines, but they can be retained on no such condition as that. That is impossible. You must give them courts. You must give them protection for life and liberty, and you must let them work out moral reform. You must let them have some local say about this thing or it will never be worked out. I should like to talk much longer on this subject if the time were not short.

Now, as to the amendment making a discrimination against soldiers in the Philippines and discussing whether they can live more cheaply or not, that is all nonsense on its face. If you want them as soldiers, you must treat the natives there who enlist as soldiers. Our people can not be there as soldiers permanently. You must have the natives. Give them some inducement. Treat them as you do other soldiers. I would rather give them a bounty and get soldiers. It would be better to give them double pay and fill up the Army there with men who will serve the purpose for which we send our men there. Give them an inducement. Do not be niggardly with them.

It seems to me that this temperance amendment and the proposed discrimination against their soldiers are two of the most irritating things that could be suggested, and it ought not to be done. Such propositions should come from the enemies of the Philippines, from those who want to get rid of them, from those who would want to make the condition there so bad that we could not control those people. They ought to be the authors of such amendments and nobody else. No one who in good faith wants to conciliate them, who wants to govern them, who wants to carry out the programme of Congress and the President in retaining the Philippines ought to stick a pin in them in this miserable way.

Mr. COCKRELL and others addressed the Chair.

The PRESIDENT pro tempore. The Senator from Missouri.

Mr. COCKRELL. My colleague has a simple request to make for a publication, and I hope that unanimous consent will be given to him before I proceed.

Mr. VEST. Mr. President, I offered an amendment in regard to hazing at Westpoint. I proposed it as an amendment to the pending bill, but the Military Committee has concluded that the amendment ought to go upon the bill making appropriation for the Military Academy at Westpoint, to be reported and considered in the near future. I therefore ask leave to withdraw the amendment. I offer it with the understanding that it is to go upon the Military Academy appropriation bill.

In this connection, I hold in my hand a valuable communication from a very distinguished educator, Dr. S. S. Laws, who was for a number of years president of the University of Missouri, and after that time a professor in the University of South Carolina. He has devoted his life to education, and he has of late especially been considering the question of the government of Westpoint and

the subject of hazing. I ask that this communication be considered as a part of my remarks, to be published in the RECORD and also published as a document, and that it be referred to the Committee on Military Affairs to be considered in connection with the Military Academy appropriation bill.

The PRESIDENT pro tempore. If there be no objection, the request of the Senator from Missouri will be complied with.

The matter referred to is as follows:

[Senate Document No. 98, Fifty-sixth Congress, second session.]

HAZING AT THE MILITARY ACADEMY.

EDITOR POST: Will you allow me to call attention to what I conceive to be the true and rational remedy for the irrational and worse than useless practice in our United States Military Academy which has been attracting so much attention and comment lately? That remedy is to reduce the course to two years and make the Academy a strictly professional school.

Under the appointment of President Garfield I served on the Board of Visitors and availed myself of the opportunity to look carefully into the interior workings of Westpoint. At that time the question of extending the course from four to five years was still agitated. I believe that when Jefferson Davis was Secretary of War he recommended five years, and that for a short time the five-year term was tried.

My point of view was strictly that of an educator, with a somewhat mature experience in college and university work. I attended the examinations and canvassed the entire course of instruction; and, finding that the faculty was loaded with a mass of elementary subjects in the physical sciences, in mathematics, and even in language, which could now be taught as well or better in the private and State schools of the country, I proposed that the course should be reduced to two years—i. e., to one-half the time—instead of increasing it.

Educators will understand and appreciate my idea when I state that the principle underlying it was that of checking out all subjects and studies of general culture and leaving only the technical studies. The result of this elimination would reduce the time to two instead of four years, and actually improve the service. In a word, make Westpoint a professional school instead of an omnibus concern, where academic studies of general culture and technical studies of special or professional culture are commingled to the disadvantage of both.

As I stated, my standpoint was and is that of a professional educator, and I still affirm and am prepared to show, unless a transformation has occurred of which I am not informed, that the change suggested would be of advantage to the Academy as a school for the soldier and also to the educational institutions of the entire country. Let the ridiculously elementary entrance examination be dispensed with, and admit only graduates from approved colleges, attested by diplomas or examinations.

Every Westpoint appointment is a scholarship of over \$500 a year, and the stimulus of keeping these scholarships filled, of furnishing candidates for these 300 or 400 prizes within every two years, would be a powerful uplift to educational work all over the land when it is considered how the patronage is distributed.

The notion that poor boys would thereby be left and overslaughed is utterly fallacious, for the greater part of our college graduates are poor in purse, but rich in brain.

When Westpoint was founded our educational work was undeveloped, and there was then some reason for taking on these elementary studies, but now every State has not only its common schools and academies, but its universities or universities.

The present practical bearing of this view is that if the entrants were properly educated and matured young gentlemen they could not be led out like lambs to the hazing slaughter by the advanced class contingent of vulgar, unmanly ruffians. Look on the scenes of warfare in the present and in the past, and how common is it for honorable and self-respecting soldiers to be disgraced by the unsoldierly conduct of men who do not deserve to be named the comrades of decent men who are worthy of the uniform they wear and of the flag they bear.

My experience of more than a quarter of a century in association with youth in their college and university life tells me that the raising of the standard of admission and the conversion of the Academy into a strictly professional military school would not only expunge the idiotic impositions of hazing, but also extinguish the ugly class antipathies. The efficiency of the school in the entire range of its influence would be raised and the effect on the educational institutions of the entire country would be favorable. Who ever heard of hazing in our strictly professional or technical schools? At present Westpoint can not claim to be such a school. I have had an exceptionally extended and varied personal experience in such schools as pupil and officer, and I never knew or heard of a case of hazing in such a school.

Judged by its theory, design, and history, Westpoint is simply an educational institution, under the patronage and control of the General Government, for the specific purpose of educating officers for the Army. The law school does not aim at educating its pupils simply as men or as citizens, but as lawyers to practice law. The medical school also sloughs off all extraneous matters, however important in other connections, and educates its pupils to practice medicine. And so Westpoint, I respectfully submit, should confine itself to the specialties of the soldier's vocation.

WASHINGTON, D. C., December 28, 1900.

S. S. LAWS.

Mr. ALLISON. I ask the Senator from Missouri to yield to me for a moment.

Mr. COCKRELL. I want to speak only two or three minutes.

Mr. ALLISON. Then the Senator will yield to me, because I wish to ask unanimous consent that, after the conclusion of the speech of the Senator from Missouri, the debate may be continued under the five-minute rule until 4 o'clock. I understand there are several Senators who desire to speak.

Mr. COCKRELL. You can apply that rule to me, too.

Mr. ALLISON. Very well; I will apply it then to all speeches after this time.

Mr. ELKINS. Make it three minutes.

The PRESIDENT pro tempore. Will the Senator from Iowa repeat his request?

Mr. ALLISON. I ask unanimous consent that from now until until 4 o'clock the debate may proceed under the five-minute rule.

Mr. KEAN and Mr. PERKINS. Make it three minutes.

Mr. COCKRELL. I shall probably want five minutes, because I have a paper covering two pages to read, and I do not know

whether it will take more than three minutes, but I will finish when I get through.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the debate from this time until 4 o'clock be limited to five minutes to each Senator. Is there objection? The Chair hears none. The Senator from Missouri will proceed.

Mr. COCKRELL. Mr. President, I want to say just a word or two in regard to the efforts that are being made to increase the number of staff officers as reported by the Committee on Military Affairs, and I want to read a plain statement made by the Secretary of War to the committee which shows exactly his position and the reasons for his action:

Before complying with the request of the Military Committees of the Senate and House of Representatives to furnish them with such a bill for the reorganization of the Army as the War Department deemed adequate, the Secretary called upon the general officers of the Army and all the heads of the staff and supply departments and corps for an expression of their views. The head of each department and corps naturally asked for provisions in the bill which would increase the relative prominence and standing of its own department or corps and give the greatest possible opportunity for promotion to its officers. In view of all the requests, the Secretary made up what he considered to be a fair, consistent, and harmonious general scheme for the arrangement of the different staff departments and corps and all the different grades of office, with a view to giving to all as nearly as possible the same opportunities for promotion and giving to each its due weight in the service. None of the different departments had assigned to it in this scheme all that it asked. When the subject came before the Military Committees all the arguments and statements of the heads of departments upon the subject were transmitted to the several committees, and, after full consideration of the subject as a whole, the Military Committee of the House came to the same conclusion as the Secretary and reported accordingly.

On the floor of the House some changes were made in the brief and hurried consideration of the bill. When the subject came up before the Military Committee of the Senate that committee took into consideration all the written communications of the staff departments and gave oral hearings to the heads of each department. Having then under consideration the whole subject, the Military Committee of the Senate came to the same conclusion as the Military Committee of the House and has reported the same general scheme.

Every authority, therefore, which stands indifferent as between the different departments and has had an opportunity to study and consider the subject as a whole, has reached the same conclusion. It is much to be desired that this well-balanced scheme of organization shall not be disturbed by the giving of special advantages to any particular department or corps. Nothing can be done of that kind without unfairness to the other departments and corps, without disturbing the due equilibrium and balance of organization. If the scheme upon which both Military Committees have determined is unsatisfactory, it should be revised as a whole; it should not be unbalanced by sporadic changes in particular points.

The Secretary fully explained to us exactly his position and his responsibility. He is as responsible for the administration of the pay department as the Paymaster-General. He is the head of the Department. He took all these things into consideration and he made out what he believed in his honest and candid and fair judgment to be exactly right. After we had heard him and had heard all the heads of the departments and seen their anxiety to have the increases in the departments made in the highest grade, and their willingness to cut off almost any number of lower grades if they could get the higher grades, we came to the same conclusion that the Secretary of War came to. I do hope there will be no change made in what has been recommended by the Committee on Military Affairs. Every staff will have an abundance of officers to discharge its duties efficiently and acceptably as the Senate committee has reported the bill. There will be no dereliction of duty for want of numbers of paymasters, or quartermasters, or commissaries, or any other officers.

Mr. FORAKER. Mr. President, I sympathize fully with the object of the amendment offered by the Senator from New Hampshire, but nevertheless, under existing circumstances, I feel constrained to oppose it and to vote against it, and I wish to state why, necessarily very briefly, now that we have passed under the five-minute rule.

I am opposed to it, in the first place, because it is unnecessary, as the Senator from Wisconsin has ably pointed out. Our occupation of the Philippines is a military occupation. It has been a military occupation from the first moment when it commenced until now, and it will continue a military occupation until Congress sees fit to legislate. Congress can intervene at any time, but until Congress does intervene the occupation that is there now must continue in character just as it is and has been. Under that occupation it is competent for the President at any time, and it has been competent for the President at any time, to require such regulations, even to the point of a prohibition of the liquor traffic, as he may see fit to require.

The President has appointed a civil commission and sent it there. At the head of it is Judge Taft. Associated with him are other men of equally high character. They are on the ground. They are studying the situation; they are studying the people. They are now dealing with this subject, and have already accomplished much. I do not think we should interfere with them. They know better than we can possibly know what kind of legislation is efficient, what kind of legislation will produce the best results.

I feel that we ought to defer to their judgment in this matter. At any rate they have full power to study, full power to recommend, and the President has full power to enforce any regulation they may prescribe. If they think it best to prohibit, they can

make that recommendation, and the President can make that order at any time and enforce it. So there is no lack of power to deal with this subject, and it is the power most efficacious; in fact, the only power that can do anything until conditions change.

There is another reason why I think this amendment ought to be voted down, and that is that it is inoperative. It contains no provisions for its execution. We have no civil representatives over there to enforce it, even if Congress should see fit to adopt it. No penalty is imposed for its violation. Who would take upon himself the enforcement of this provision for prohibition in the Philippines, and under what kind of penalties would they enforce it, if there should be a violation of it? Nothing of that kind is provided for. In what court could an offender be tried? What punishment could be imposed in case of conviction? This amendment provides nothing to give it effect.

Mr. GALLINGER. Mr. President—

Mr. FORAKER. I hope the Senator will not interrupt me when I have only five minutes.

Mr. GALLINGER. I should like to give the Senator my five minutes if he will let me interrupt him for just a moment. Of course, if the Senator declines, it is all right.

Mr. FORAKER. No; I yield.

Mr. GALLINGER. So far as the importation is concerned, the Senator does not claim that we have no officials there who could execute that part of the proposed amendment.

Mr. FORAKER. But suppose they would not execute it, where is any penalty provided, and who is there to enforce it? In what court would offenders be arraigned? How would they be tried? The point I make is that until we commence to legislate for the Philippine Islands this kind of legislation is premature and unnecessary. The President already has full power to do all this proposes, and he is in a situation to enforce any order he may make, while our action would be ineffective. The islands are governed by military machinery, and everything there is subject to military order. We have not yet even determined what shall be the civil and political status of the inhabitants as provided by the treaty.

Mr. GALLINGER. The penalty would be found in the removal of the officers who did not execute the law.

Mr. FORAKER. Possibly they might be removed; but we have there about 1,200 islands and about 10,000,000 people. We might remove an official, but we could not remove the people or the smugglers. The whole situation is military, and there can not be any enforcement of any act of Congress or anything else unless some Army official is detailed for the purpose with power to perform a duty and is authorized and empowered to enforce the law according to the law. Without some kind of machinery for trial and a penalty for failure to enforce the law, it would not be enforced.

But aside from all that, temperance legislation, no matter how good a purpose it may have in view, is always in vain unless it be practicable in the sense that it has public sentiment behind it. We have had a good deal of experience with this subject in our State. I have favored all kinds of temperance legislation which have ever been proposed there which, in my judgment, were feasible and enforceable, but when we came to the question of plain, unqualified prohibition, such as this amendment provides for, I was of the opinion, and a majority of the people of Ohio were of the opinion every time we have had occasion to vote on the subject, that prohibition outright for all cities and all hamlets alike, without regard to size, was an impracticable and a vain thing. You might enforce it in the smaller, but not in the larger places. We have therefore legislated then so as to provide for local option. This enables places that want prohibition to have it, and leaves large cities to be regulated. I think prohibition in Cincinnati, for instance, would be a farce. From all I know about Manila I think it would be a farce there, and that we will best promote temperance there by leaving the subject to the men who are now dealing with it—

The PRESIDENT pro tempore. The Senator's time has expired.

Mr. ELKINS. I desire to state that I fully agree with the Senator from Mississippi [Mr. MONEY] in his amendment, by which it is proposed that the House provision as to the Paymaster's Department shall be restored. The present force of the Pay Department consists of 56 officers. The Senate committee cut the number down to 44. Section 17 as proposed to be amended by the Senator from Mississippi would provide for 55 officers. In this connection I wanted to read to the Senate a letter from the Paymaster-General. I shall not, however, detain the Senate by doing so, but will state the substance of the letter, and ask to have it inserted in full in my remarks.

The Paymaster-General says, in substance, that his force is not sufficient to pay the troops, and he is the highest authority on this subject.

Take the situation in the Philippines. There are troops at 420 posts who have to be paid. In the United States there are 103 posts, in Cuba there are 8, and in Alaska there are 8.

The posts to be paid in the Philippines are four times as many as there were in the United States prior to the war, when there were 26 officers of the Pay Department to make the payments. We had then an army of 25,000 men, and they were paid in the United States solely by 26 officers. We now have nearly 80,000 men, and it is proposed to limit the force of the Pay Department to 44 officers.

As to paying the soldiers by checks, that has been tried in the Army and was found to be a failure. It has been tried in the Philippines, at Luzon. The first thing the bankers did was to make a discount of 4 per cent on the soldiers' checks. When the system was tried in the United States it was also a failure, because the bankers would not take the soldiers' checks unless they were identified, and the poor soldiers had to submit to a heavy discount wherever they had their checks paid. It will be impossible, it seems to me, for the Paymaster-General to pay the Army when we reduce his force while the war is going on by 11 officers, and when in the letter of the Paymaster-General it is stated that he has not an officer to spare.

I think the Senator from Mississippi is right, and I think, with the light before us, that the amendment is proper and just. So I hope it will prevail.

The letter referred to is as follows:

WAR DEPARTMENT, PAYMASTER-GENERAL'S OFFICE,
Washington, December 3, 1900.

SIR: Will you permit me, as head of the Pay Department, to respectfully call your attention to the fact that the organization of the Pay Department as proposed in section 20 of the bill for the reorganization of the Army, copy of which has been furnished me from your office, does not, in my judgment, give us sufficient force to perform the duties which the Pay Department is called upon to perform.

The present number of officers in the regular and volunteer force of the Pay Department is, aside from the Paymaster-General, 55. The proposed bill gives us 43, a reduction of 12 officers. At the present moment there is but one officer of this department on leave of absence, and he was granted one month's leave from the Department of California, succeeding his return to this country from a two years' detail in the Philippines. There is not an officer in the service who could be granted a leave for two months without detriment to the service, unless his place could be filled by some other paymaster during that time.

As the Army is now distributed, we have between four and five hundred different stations to pay in the Philippines, and we have there and en route there 26 paymasters, and I have constant reports of the very severe service the officers there are called upon to perform and the necessity for more help. If the force is reduced, it must be by taking away some of the officers from that point, as there is not now stationed within the limits of the United States a single officer whose place could be made vacant without detriment to the service.

Very respectfully,

A. E. BATES,
Paymaster-General, U. S. A.

The SECRETARY OF WAR.

Mr. PERKINS. Mr. President, a few days since I presented an amendment, which is now pending at the desk. I have modified that amendment somewhat, and I now desire to present it, and ask the Secretary to read it. I trust the Committee on Military Affairs will see the justice of the proposed amendment, and accept it.

The PRESIDENT pro tempore. The amendment proposed by the Senator from California will be stated.

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 38. That when any enlisted man of the Army (regular or volunteer) serving in the Philippine Islands who may, on or before July 1, 1901, be entitled to his discharge and transportation home reenlists for three years, he shall be paid \$250 in lieu of the cost of his transportation to the United States and return of a soldier and the amount of pay and allowances during that period. On the expiration of his second enlistment he shall be entitled to the transportation and allowances to the place of his present enlistment as now provided for by law.

Mr. PROCTOR. The committee will accept that amendment if the Senator will modify it and make the amount "\$200," instead of "\$250."

Mr. PERKINS. I would state that I have made a calculation and have found that upon chartered vessels, allowing the soldiers pay from the point of enlistment and railroad fare to San Francisco, the cost to the Government to Manila and return, with allowances, amounts to about \$265 per man, allowing the soldier his pay of \$17 per month and 30 cents a day for board; but upon Government transports, making no allowances for repairs, for interest upon the investment, and for extraordinary expenses, it amounts to a much less sum.

I believe, however, it is much better to accept the \$200 than not to have such a provision in the bill. The Government will save by it, and we shall have, comparatively speaking, a veteran soldier, one who has become acclimated, and who is immune to the diseases of those islands, so to speak. I will therefore accept the modification of the amendment and make the amount \$200, which the committee, I understand, will accept.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from California as it has been modified.

The amendment as modified was agreed to.

Mr. BACON. I offer an amendment, which I hope may be read and acted upon at the proper time. I only desire to say that it is

an exact copy of the proviso which is found in the act of 1899, the only changes being the necessary changes in date from the act of 1899.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Georgia will be read.

The SECRETARY. At the end of section 26 it is proposed to insert the following:

Provided also, That each and every provision of this act shall continue in force until July 1, 1903, and on and after that date all the general, staff, and line officers appointed to the Army under this act shall be discharged, and the numbers restored in each grade to those existing March 2, 1899, and the enlisted force of the line of the Army shall be reduced to the number as provided for by law prior to April 1, 1898, exclusive of such additions as have been or may be made to the artillery, and excepting the additional cadets which have been provided for by law.

Mr. GALLINGER. Mr. President, when I submitted the amendment in reference to the importation and sale of intoxicating liquors in the Philippine Islands I had not the least notion that it was going to occupy so much of the time of the Senate this afternoon. However, the debate has been interesting and instructive, and I am rather glad that I was instrumental in provoking it.

The Senator from California [Mr. PERKINS] has, for the second or third time in the Senate, dwelt upon the glorious results of legalizing the sale of liquor in Alaska. I shall not waste time this afternoon in refuting the proposition the Senator has advanced, but will content myself with saying that it was a distinguished military officer from the State of California who granted licenses to four or five hundred saloons in Manila, and who is more responsible than any other man in the world for the condition of things that exists in the island of Luzon to-day in that regard.

I shall vote for this bill with some misgivings and with a good deal of mental reservation. I have some notions concerning the Philippine Islands that I will not express to-day; but I will enter the realm of prophecy sufficiently to say that, in my judgment, those islands will be governed by military rule for fifty long years to come—long after the Senator from Montana [Mr. CARTER], the Senator from Wisconsin [Mr. SPOONER], and other Senators who have spoken this afternoon have been gathered to their fathers.

That being my conviction, Mr. President, I feel that we have grave responsibilities and duties devolving upon us so far as those peoples are concerned, and that, instead of dishonoring and degrading them, we ought to try to legislate to build them up and to strengthen them, to make them freer from the vices that pertain to American society, so far as liquor selling and liquor drinking are concerned, than to pursue the opposite course.

Senators say that the President and the Philippine Commission should be allowed to manage these matters in their own way. As a piece of rhetoric that is all right; but as a matter of fact it is idle to argue that Congress should continue to close its eyes to a condition that is abhorrent to the moral and Christian sentiment of this nation.

If my amendment does not pass, I trust that this debate will have a quickening effect upon the minds and consciences of those whose duty it is, and who have the power, to correct the evils of which some of us complain. If it shall have that effect, I shall feel that the introduction of this amendment and the discussion which has followed as a result will have had an effect that we ought all to rejoice over rather than to condemn.

Mr. DANIEL. I have an amendment which I desire to offer, to come in on page 44, line 14. The object of the amendment is to give the volunteer officers, who have served their country so well in the Philippine Islands for the last two years or less, an opportunity to command the native troops in squadrons or battalions that may be enlisted in our service.

The most striking and peculiar features of this bill are proscription and caste. It seems by the pay which we are to accord to the native troops who enlist under the flag of the United States that we are to start in the rank and file of the Army the spirit of caste and discrimination. The black troops of this Government who came from the southern part of our country and who were enlisted in the recent war as immunes, if this principle should prevail, ought to have a corresponding grade of pay attached to them as less liable to the diseases of the Philippine Islands than the people of white skin of the northern nations who go there.

I do not think, Mr. President, it is at all compatible with the principles of our Government to be drawing our systems of military establishment from the systems of the monarchical and conquering nations of the world. This country was organized in protest against that, and it should avoid on every occasion dropping into their footsteps, and especially should it not discriminate against our own kith and kin—our own people, who have volunteered and risked life in battle, in the swamp, and in tropical climates to fight the Filipinos, who, it seems, are to have a bounty of \$200 paid to their troops to stay there, while the others are dismissed and sent home without commission, or with some small commission inconsistent with their rank and character of service,

The amendment which I have offered will be followed by one or two other amendments to give the enlisted men of the Regular Army and of the Volunteer Army some chance to take service with the native troops who are to be organized under this bill.

Mr. CARTER. Let the amendment be stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Virginia [Mr. DANIEL] will be stated.

The SECRETARY. It is proposed to strike from line 15 on page 44, to line 22 on the same page, and insert the following:

The majors to command the squadrons and battalions, and captains of companies shall be appointed by the President, subject to confirmation by the Senate, from officers of the Regular Army or from those of the volunteers who have been in service since April 21, 1898, and while so serving they shall have the rank, pay, and allowances of the arm of the service to which they are assigned similar to the corresponding grade in the Regular Army.

The PRESIDENT pro tempore. The Chair lays before the Senate the next amendment in order, which is the amendment proposed by the Senator from Florida [Mr. MALLORY]. The amendment will be stated.

Mr. DANIEL. I rise to a parliamentary inquiry. After the voting commences, at 4 o'clock, will it be in order to offer other amendments?

The PRESIDENT pro tempore. In the opinion of the Chair, it will be. It is only in his opinion, because the Chair has no right to rule as to unanimous-consent agreements; but in the opinion of the Chair amendments will be in order.

Mr. BACON. It was so stated at the time the unanimous-consent agreement was made.

Mr. JONES of Arkansas. That was the understanding.

Mr. TELLER. Yes; it was the understanding that amendments could be offered up to the time we got ready to vote on the passage of the bill.

The PRESIDENT pro tempore. That was the opinion of the Chair, but the Chair would not rule on a question of that kind.

The Chair calls the attention of the Senator from Florida to his amendment to strike out section 26. The proviso from line 19, on page 40, down to and including the words "Secretary of War," in line 25, has already been stricken out.

Mr. MALLORY. I was not aware of that. The amendment I propose is to the old section 26, in the first copy of the bill, on page 37. It is to strike out the clause which proposes to give the President the authority to increase the number of the Army during the present exigencies of the service, or until such time as Congress may hereafter direct. That is the proposition involved in the amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Florida [Mr. MALLORY] will be stated.

The SECRETARY. It is proposed to strike out of newly numbered section 26, on page 40, as follows:

That the President is authorized to maintain the enlisted force of the several organizations of the Army at their maximum strength as fixed by this act during the present exigencies of the service, or until such time as Congress may hereafter direct.

Mr. MALLORY. That is the amendment.

Mr. BUTLER. I call the attention of the Senator from Florida to the fact that the purpose he seems to desire to accomplish would be better accomplished by simply striking out the last words, "or until such time as Congress may hereafter direct." Then it will be a limitation on the whole bill.

Mr. MALLORY. I do not agree with the Senator on that. I think it is necessary to strike out the entire provision there.

The PRESIDENT pro tempore. The hour of 4 o'clock having arrived, under the unanimous agreement debate is not in order. The question is on the amendment submitted by the Senator from Florida [Mr. MALLORY].

Mr. MALLORY. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BUTLER. I desire to offer an amendment to the amendment, if in order. I move to amend the amendment by striking out simply the last words, "or until such time as Congress may hereafter direct." I will read it as it will stand if the amendment should be adopted.

That the President is authorized to maintain the enlisted force of the several organizations of the Army at their maximum strength as fixed by this act during the present exigencies of the service.

Mr. PROCTOR. I ask the Senator from North Carolina if he will allow the committee to have a word inserted there in order to perfect the text before he moves to strike out?

Mr. BUTLER. Yes, sir.

Mr. PROCTOR. I move to insert the word "otherwise," after the word "hereafter;" so as to read: "Or until such time as Congress may hereafter otherwise direct."

Mr. BUTLER. I understood that was going to be done, and I thought it had been done.

Mr. PROCTOR. I supposed it had been done, but I understand it has not been.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from North Carolina [Mr. BUTLER] to the amendment of the Senator from Florida [Mr. MALLORY].

Mr. BUTLER. Let us have the yeas and nays on the amendment to the amendment.

Mr. TELLER. What are we to vote on, Mr. President?

The PRESIDENT pro tempore. On the amendment of the Senator from North Carolina [Mr. BUTLER] to the amendment offered by the Senator from Florida [Mr. MALLORY].

Mr. BUTLER. I understand the yeas and nays have already been ordered on the amendment of the Senator from Florida, so I will let that vote be taken. I will temporarily withdraw my amendment, and offer it later if the amendment of the Senator from Florida shall be voted down.

The PRESIDENT pro tempore. The yeas and nays have been ordered on the amendment offered by the Senator from Florida [Mr. MALLORY]. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. GALLINGER (when Mr. CHANDLER's name was called). My colleague [Mr. CHANDLER] is absent from the city. He is paired with the Senator from Louisiana [Mr. MCENERY]. I make this announcement, and will not repeat it during the several votes on this bill.

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. MONEY (when his name was called). I am paired with the senior Senator from Oregon [Mr. MCBRIDE], who is absent. I do not know how he would vote if present, but I will state now for the balance of the votes on this subject that I would vote "yea" on this amendment and "yea" on all the other amendments with which I am acquainted, in order to perfect the bill.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. VEST (when his name was called). I inquire if the Senator from Minnesota [Mr. NELSON] has voted.

The PRESIDENT pro tempore. He has not voted.

Mr. VEST. Then I withhold my vote, as I am paired with that Senator. I should vote "yea" if he were present.

The roll call was concluded.

Mr. SPOONER. The Senator from Indiana [Mr. FAIRBANKS] has gone to that State to attend the funeral of ex-Governor Mount, and was unable to obtain a pair. I was requested to make this announcement.

Mr. HANSBROUGH. I wish to state that the junior Senator from Indiana [Mr. BEVERIDGE] has also been called back to his State for the same reason that his colleague [Mr. FAIRBANKS] was called.

The result was announced—yeas 26, nays 42; as follows:

YEAS—26.

Allen,	Clay,	Mallory,	Tillman,
Bacon,	Cockrell,	Pettigrew,	Towne,
Bate,	Culberson,	Pettus,	Turley,
Berry,	Daniel,	Rawlins,	Turner,
Butler,	Harris,	Sullivan,	Wellington.
Caffery,	Jones, Ark.	Taliaferro,	
Chilton,	Kenney,	Teller,	

NAYS—42.

Aldrich,	Foraker,	McComas,	Scott,
Allison,	Foster,	McCumber,	Sowell,
Baker,	Frye,	McLaurin,	Shoup,
Bard,	Gallinger,	McMillan,	Simon,
Burrows,	Hanna,	Mason,	Spooner,
Carter,	Hansbrough,	Penrose,	Stewart,
Clark,	Hawley,	Perkins,	Thurston,
Deboe,	Kean,	Platt, Conn.	Warren,
Dillingham,	Kyle,	Pritchard,	Wetmore.
Dolliver,	Lindsay,	Proctor,	
Elkins,	Lodge,	Quarles,	

NOT VOTING—19.

Beveridge,	Hale,	McEnery,	Platt, N. Y.
Chandler,	Heitfeld,	Martin,	Quay,
Cullom,	Hoar,	Money,	Vest,
Depew,	Jones, Nev.	Morgan,	Wolcott.
Fairbanks,	McBride,	Nelson,	

So the amendment was rejected.

The PRESIDENT pro tempore. A large number of amendments have been offered, printed, and are on the table.

Mr. MONEY. I hold in my hand an amendment apropos at this point.

The PRESIDENT pro tempore. The Chair thinks many of them may not be offered now, and the Chair thinks it will perhaps be more expeditious for Senators to offer their amendments now from the floor.

Mr. MONEY. I have one exactly apropos. I ask that it may be read.

Mr. LODGE. I desire to make a parliamentary inquiry. I understand, then, that no amendment will be laid before the Senate by the Chair, but only those will be acted upon that are offered by Senators from the floor?

The PRESIDENT pro tempore. The Chair thinks time will be saved immensely if it does not lay before the Senate the amendments that are printed and on the table, but leaves each Senator to offer his amendments.

Mr. BURROWS. That is the best way.

The PRESIDENT pro tempore. The Senator from Mississippi [Mr. MONEY] offers an amendment, which will be stated.

Mr. MONEY. I ask the Secretary to read it, as I have amended it.

Mr. CARTER. Pending the reading of the amendment, I desire to call attention to a mere verbal amendment suggested by the Senator from Vermont, to wit, the insertion of the word "otherwise" after the word "hereafter," in line 19, page 40.

The PRESIDENT pro tempore. Is there objection to the insertion of the word? The Chair hears none, and it is inserted. The amendment proposed by the Senator from Mississippi [Mr. MONEY] will be stated.

The SECRETARY. After section 32, page 45, it is proposed to insert:

And provided also, That each and every provision of this act shall not continue in force longer than July 1, 1903, and on and after that date all the general, staff, and line officers appointed to the Army under this act shall be discharged, and the numbers restored in each grade to those existing at the passage of this act, and the enlisted force of the line of the Army shall be reduced to the number as provided for by law prior to April 1, 1898, exclusive of such additions as have been or may be made under this act to the artillery, and except the cadets provided for by this act who may be appointed prior to July 1, 1903: And provided further, That no officer who has been or may be promoted under existing law or under the rules of seniority shall be disturbed in his rank.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

Mr. BATE. I should like to ask the mover of the amendment if that is not the same amendment which was passed here in 1899, known as the Gorman amendment?

Mr. ALDRICH. No debate.

The PRESIDENT pro tempore. Debate is not in order.

Mr. MONEY. I will say—

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Mississippi.

Mr. BATE and Mr. MONEY demanded the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. HEITFIELD (when his name was called). I again announce my pair with the Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. PETTIGREW (when his name was called). On this question I am paired with the junior Senator from Indiana [Mr. BEVERIDGE]. If he were present, I should vote in favor of the amendment.

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. MONEY. I am paired with the senior Senator from Oregon [Mr. MCBRIDE]. If he were here, I should vote "yea." I do not know how he would vote.

The result was announced—yeas 25, nays 39; as follows:

YEAS—25.			
Allen,	Clay,	Lindsay,	Tillman,
Bacon,	Cockrell,	McLaurin,	Turley,
Bate,	Culberson,	Mallory,	Turner,
Berry,	Daniel,	Pettus,	Wellington.
Butler,	Harris,	Rawlins,	
Caffery,	Jones, Ark.	Taliaferro,	
Chilton,	Kenney,	Teller,	
NAYS—39.			
Aldrich,	Elkins,	Lodge,	Scott,
Allison,	Foraker,	McComas,	Sewell,
Baker,	Foster,	McCumber,	Shoup,
Bard,	Frye,	McMillan,	Simon,
Burrows,	Gallinger,	Penrose,	Spooner,
Carter,	Hanna,	Perkins,	Stewart,
Clark,	Hansbrough,	Platt, Conn.	Thurston,
Deboe,	Hawley,	Pritchard,	Warren,
Dillingham,	Kean,	Proctor,	Wetmore.
Dolliver,	Kyle,	Quarles,	
NOT VOTING—23.			
Beveridge,	Heitfeld,	Mason,	Quay,
Chandler,	Hoar,	Money,	Sullivan,
Cullom,	Jones, Nev.	Morgan,	Towne,
Depew,	McBride,	Nelson,	Vest,
Fairbanks,	McEnery,	Pettigrew,	Wolcott.
Hale,	Martin,	Platt, N. Y.	

So the amendment was rejected.

Mr. BERRY. I offer the amendment which I send to the desk. The PRESIDENT pro tempore. The Senator from Arkansas offers an amendment, which will be stated.

The SECRETARY. Insert, after the close of the last section of the bill, the following:

SEC. —. That within ten days after this bill shall become a law the President of the United States shall issue his proclamation declaring that the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over the Philippine Islands except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the islands to its people.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Arkansas [Mr. BERRY].

Mr. JONES of Arkansas. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). On this amendment and on all other amendments to the pending bill and on the final question I am paired with the Senator from Indiana [Mr. FAIRBANKS].

Mr. HEITFIELD (when his name was called). I again announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. PETTIGREW (when his name was called). I am paired on this question with the Senator from Indiana [Mr. BEVERIDGE]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. MARTIN. I have a general pair with the senior Senator from Illinois [Mr. CULLOM]. If he were present, I should vote "yea."

The result was announced—yeas 22, nays 43; as follows:

YEAS—22.			
Allen,	Clay,	Mallory,	Towne,
Bacon,	Cockrell,	Pettus,	Turley,
Bate,	Culberson,	Rawlins,	Turner,
Berry,	Harris,	Taliaferro,	Wellington.
Caffery,	Jones, Ark.	Teller,	
Chilton,	Kenney,	Tillman,	
NAYS—43.			
Aldrich,	Foraker,	McComas,	Scott,
Allison,	Foster,	McCumber,	Sewell,
Baker,	Frye,	McLaurin,	Shoup,
Bard,	Gallinger,	McMillan,	Simon,
Burrows,	Hanna,	Morgan,	Spooner,
Carter,	Hansbrough,	Penrose,	Stewart,
Clark,	Hawley,	Perkins,	Sullivan,
Deboe,	Kean,	Platt, Conn.	Thurston,
Dillingham,	Kyle,	Pritchard,	Warren,
Dolliver,	Lindsay,	Proctor,	Wetmore.
Elkins,	Lodge,	Quarles,	
NOT VOTING—22.			
Beveridge,	Fairbanks,	McEnery,	Platt, N. Y.
Butler,	Hale,	Martin,	Quay,
Chandler,	Heitfeld,	Mason,	Vest,
Cullom,	Hoar,	Money,	Wolcott.
Daniel,	Jones, Nev.	Nelson,	
Depew,	McBride,	Pettigrew,	

So the amendment was rejected.

Mr. PETTIGREW. I move to strike out all of section 32 of the bill, which provides for the enlistment of Filipinos, and I ask to have the paragraphs which I wish to have stricken out read.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The Senator from South Dakota moves to strike out section 32 of the bill.

Mr. PETTIGREW. New No. 32.

The PRESIDING OFFICER. New No. 32. The section proposed to be stricken out will be read by the Secretary.

The SECRETARY. On page 43 it is proposed to strike out all of section 32, in the following words:

SEC. 32. That when in his opinion the conditions in the Philippine Islands justify such action the President is authorized to enlist natives of those islands for service in the Army, to be organized as scouts, with such officers as he shall deem necessary for their proper control, or as troops or companies, as authorized by this act, for the Regular Army. The President is further authorized, in his discretion, to form companies, organized as are companies of the Regular Army, in squadrons or battalions, with officers and noncommissioned officers corresponding to similar organizations in the cavalry and infantry arms. The total number of enlisted men in said native organizations shall not exceed 12,000, and the total enlisted force of the line of the Army, together with such native force, shall not exceed at any one time 100,000.

The majors to command the squadrons and battalions shall be selected by the President from captains of the line of the Regular Army, and while so serving they shall have the rank, pay, and allowances of the grade of major. The captains of the troops or companies shall be selected by the President from first lieutenants of the line of the Regular Army, and while so serving they shall have the rank, pay, and allowances of captain of the arm to which assigned. The squadron and battalion staff officers, and first and second lieutenants of companies, shall be selected from the noncommissioned officers of the Regular Army of not less than two years' service, or from officers or noncommissioned officers serving, or who have served, in the volunteers during or since the war with Spain, and officers of those grades shall be given provisional appointments for periods of four years each, and no such appointments shall be continued for a second or subsequent term unless the officer's conduct shall have been satisfactory in every respect. The pay and allowances of provisional officers of native organizations shall be those authorized for officers of like grades in the Regular Army. The pay of the enlisted men shall be one-half that authorized for the Regular Army, and rations and clothing allowances to be authorized shall be fixed by the Secretary of War.

When, in the opinion of the President, natives of the Philippine Islands shall, by their services and character, show fitness for command, the President is authorized to make provisional appointments to the grades of second and first lieutenants from such natives, who, when so appointed, shall have the pay and allowances to be fixed by the Secretary of War, not exceeding those of corresponding grades of the Regular Army.

The PRESIDING OFFICER. The question is on agreeing to

the amendment offered by the Senator from South Dakota, to strike out section 32 of the bill, which has been read.

Mr. DANIEL. I desire to understand exactly what the amendment is.

The PRESIDING OFFICER. The Senator from South Dakota moves to strike out section 32 of the bill, commencing on page 43 and ending on page 45, which has been read to the Senate.

Mr. DANIEL. Before that motion is put to the Senate, I move to strike out lines 8 to 13 on page 45 and to insert the following:

The pay and allowances of provisional officers and enlisted men shall be the same as those of officers and enlisted men of the Regular Army.

The PRESIDING OFFICER. The Senator from Virginia offers an amendment to the amendment, or an amendment to perfect the text. The amendment to the amendment will be stated.

Mr. SPOONER. Is the amendment in order?

Mr. COCKRELL. It is an amendment to the amendment.

The PRESIDING OFFICER. A similar amendment was entertained by the President pro tempore before he left the chair, and the present occupant of the chair supposes it is in order.

Mr. SPOONER. I desire to offer a substitute for the amendment of the Senator from Virginia.

Mr. ALDRICH. That would not be in order.

Mr. SPOONER. I think the vote ought to be taken first on the question of retaining this section. If the section is retained, then let us perfect it.

Mr. BACON. No; the rule is exactly the reverse.

Mr. SPOONER. I am not talking about parliamentary law. I am making a suggestion to the Senator from Virginia.

Mr. ALDRICH. Debate is not in order.

The PRESIDING OFFICER. The Chair entertained this amendment because the presiding officer of the Senate entertained a similar motion only a few minutes before he left the chair.

Mr. PETTIGREW. Properly so.

The PRESIDING OFFICER. The amendment proposed by the Senator from Virginia to the amendment of the Senator from South Dakota will be stated.

The SECRETARY. On page 45 strike out all of lines 8, 9, 10, 11, 12, and 13, as follows:

The pay and allowances of provisional officers of native organizations shall be those authorized for officers of like grades in the Regular Army. The pay of the enlisted men shall be one-half that authorized for the Regular Army, and rations and clothing allowances to be authorized shall be fixed by the Secretary of War.

And insert in lieu thereof the following:

The pay and allowances of provisional officers and enlisted men shall be the same as those of officers and enlisted men of the Regular Army.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia to the amendment of the Senator from South Dakota.

The amendment to the amendment was rejected.

Mr. SPOONER. I desire to offer an amendment to the amendment.

Mr. ALDRICH. Wait until this amendment is disposed of.

Mr. SPOONER. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota, to strike out section 32.

Mr. PETTIGREW and Mr. TELLER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Indiana [Mr. FAIRBANKS]. I should state in this connection that this pair was not arranged when I voted on the first amendment, and it has been arranged since the announcement by the Senator from Wisconsin [Mr. SPOONER] to the effect that he could not arrange a pair for the Senator from Indiana.

Mr. HEITFELD (when his name was called). I again announce my pair with the Senator from New York [Mr. PLATT].

Mr. PETTIGREW (when his name was called). I am paired on this question with the junior Senator from Indiana [Mr. BEVERIDGE]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 24, nays 41; as follows:

YEAS—24.

Allen,	Clay,	Kennedy,	Teller,
Bacon,	Cockrell,	Lindsay,	Tillman,
Bate,	Culberson,	Mallory,	Towne,
Berry,	Daniel,	Pettus,	Turley,
Caffery,	Harris,	Rawlins,	Turner,
Chilton,	Jones, Ark.	Taliaferro,	Wellington.

NAYS—41.

Aldrich,	Clark,	Foster,	Kyle,
Allison,	Deboe,	Gallinger,	Lodge,
Baker,	Dillingham,	Hanna,	McComas,
Bard,	Dolliver,	Hansbrough,	McCumber,
Burrows,	Elkins,	Hawley,	McLaurin,
Carter,	Foraker,	Kean,	McMillan,

Mason,
Morgan,
Penrose,
Perkins,
Platt, Conn.

Pritchard,
Proctor,
Quarles,
Scott,
Sewell,

Shoup,
Spooner,
Stewart,
Sullivan,
Thurston,

Warren,
Wetmore.

NOT VOTING—22.

Beveridge,
Butler,
Chandler,
Cullom,
Depew,
Fairbanks,

Frye,
Hale,
Heitfeld,
Hoar,
Jones, Nev.
McBride,

McEnery,
Martin,
Money,
Nelson,
Pettigrew,
Platt, N. Y.

Quay,
Simon,
Vest,
Wolcott.

So the amendment was rejected.

Mr. SPOONER. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Wisconsin offers an amendment, which will be stated.

The SECRETARY. On page 45 strike out all after the word "Army," in line 10, down to and including the words "Secretary of War," in line 13, and substitute therefor the following:

The pay, rations, and clothing allowances to be authorized for the enlisted men shall be fixed by the Secretary of War and shall not exceed those authorized for the Regular Army.

Mr. PROCTOR. The committee accept the amendment.

The PRESIDENT pro tempore. The amendment is accepted.

Mr. ALLISON. It is adopted.

The PRESIDENT pro tempore. Without objection, the amendment will be regarded as agreed to.

Mr. McCOMAS. I offer an amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 22, section 11, lines 16, 17, and 18, strike out the words:

And whose age at the date of appointment shall not exceed 40 years.

On page 23, section 12, lines 23, 23, and 24, strike out the words:

And whose age at the date of appointment shall not exceed 40 years.

On page 24, section 13, lines 16 and 17, strike out the words:

And whose age at the date of appointment shall not exceed 40 years.

On page 30, section 17, lines 24 and 25, strike out the words:

And whose age at the date of appointment shall not exceed 40 years.

On page 39, section 24, line 20, after the words "ninety-eight," insert the words:

And commissioned officers who shall have at any time served as volunteers subsequent to April 21, 1898.

The PRESIDENT pro tempore. If there be no objection, the Chair will treat this as one amendment.

Mr. PROCTOR. I do not understand the last amendment. It seems to be different in character from the others.

The PRESIDENT pro tempore. The last amendment will be again stated.

The SECRETARY. On page 39, section 24, line 20, after the words "ninety-eight," insert the following:

And commissioned officers who shall have at any time served as volunteers subsequent to April 21, 1898.

The PRESIDENT pro tempore. The Chair will treat the last as a separate amendment, and the amendments relating to age as one amendment, if there be no objection.

Mr. McCOMAS. The last amendment simply permits volunteer officers who are over 40 years of age to take the examination.

The PRESIDENT pro tempore. Debate is not in order. The question is on agreeing to the amendment offered by the Senator from Maryland relating to age.

The amendment was agreed to.

The PRESIDENT pro tempore. The Senator from Maryland also offers another amendment, which will be stated.

The SECRETARY. On page 39, section 24, line 20, after the words "ninety-eight," insert the following:

And commissioned officers who shall have at any time served as volunteers subsequent to April 21, 1898.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

Mr. ALLEN. I offer the following amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. On page 42, add at the end of section 29 the following:

And any officer below the grade of lieutenant-colonel who has been twice recommended for the medal of honor by his corps and division commanders for specific acts of gallantry or heroism, or twice brevetted on the recommendation of his corps and division commanders for specific acts of gallantry or heroism, and served during the civil war and since for thirty years, who has not heretofore received such recognition by special act, shall, when retired, be entitled to the rank and pay of the next higher grade.

Mr. BERRY. Mr. President, I desire to enter a motion to reconsider the vote by which the last amendment of the Senator from Maryland was adopted. If I understand the effect of it—

Mr. COCKRELL. And I want to make a motion to reconsider

the vote by which the first amendment, as to age, was agreed to. I want a yea-and-nay vote on it.

Mr. BERRY. If I understand the last amendment offered by the Senator from Maryland, I want to move to reconsider the vote.

The PRESIDENT pro tempore. The Senator from Arkansas enters a motion to reconsider the vote by which the last amendment offered by the Senator from Maryland was agreed to; and the Senator from Missouri gives notice that he will move to reconsider the vote by which the age amendments were agreed to.

Mr. BERRY. I ask that the amendment of the Senator from Maryland, the one I have moved to reconsider, be read.

The PRESIDENT pro tempore. The amendment will be again read.

The SECRETARY. On page 39, section 24, line 20, after the words "ninety-eight," insert the words—

And commissioned officers who shall have at any time served as volunteers subsequent to April 21, 1898.

Mr. McCOMAS. Do I understand that the Senator from Arkansas voted in the affirmative?

Mr. HALE. It was not a record vote.

The PRESIDENT pro tempore. The Senator from Nebraska [Mr. ALLEN] offers an amendment which has just been reported to the Senate. The question is on agreeing to that amendment.

The amendment was rejected.

The PRESIDENT pro tempore. Are there further amendments?

Mr. BERRY. What has become of my motion to reconsider?

Mr. LODGE. The motion to reconsider was rejected.

Mr. BERRY. Oh, no.

The PRESIDENT pro tempore. No; the motion to reconsider was not put at all. The Senator from Arkansas moves to reconsider the vote by which the second amendment, offered by the Senator from Maryland [Mr. McCOMAS], was agreed to. The question is on the motion to reconsider.

Mr. BATE. I call for a statement of the amendment.

Mr. ALLISON. I ask that the paragraph containing that amendment may be read as it now stands, with the amendment in.

The PRESIDENT pro tempore. The paragraph will be read as it stands amended.

Mr. ALLISON. Beginning at line 18.

The PRESIDENT pro tempore. Beginning at line 18.

The Secretary read as follows:

Persons not over 40 years of age who shall have at any time served as volunteers subsequent to April 21, 1898, and commissioned officers who shall have at any time served as volunteers subsequent to April 21, 1898, may be ordered before boards of officers for such examination as may be prescribed by the Secretary of War, and who may establish their fitness before these examining boards, may be appointed to the grades of captain or first or second lieutenant in the Regular Army, taking rank in the respective grades according to seniority as determined by length of prior commissioned service.

The PRESIDENT pro tempore. The question is on the motion to reconsider the vote by which this amendment was agreed to.

The motion to reconsider was not agreed to.

Mr. COCKRELL. I move to reconsider the vote by which the three or four amendments in regard to age were agreed to.

The PRESIDENT pro tempore. The Senator from Missouri moves to reconsider the vote by which the first amendment offered by the Senator from Maryland, relating to age, was adopted.

Mr. COCKRELL. If the Senate will consent to have a yea-and-nay vote taken on it, that will be satisfactory to me.

Mr. TELLER. What amendment is that?

The PRESIDENT pro tempore. The Senator from Missouri moves to reconsider the vote by which the amendment was agreed to.

The PRESIDENT pro tempore. The amendment offered by the Senator from Maryland relating to the 40 years age limit. The question is on the motion to reconsider.

The motion to reconsider was not agreed to.

Mr. GALLINGER. I submit the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 30 amend section 16 by striking out in line 2 the words "receive the" and by substituting the words "have the rank," and at the end of the section add the words "and there shall be a chief veterinarian with the rank, pay, and allowances of a major, who shall be attached to the Quartermaster-General's Department;" so that the section, if amended as proposed, will read:

SEC. 16. That the grade of veterinarian of the second class in cavalry regiments, United States Army, is hereby abolished, and hereafter the two veterinarians authorized for each cavalry regiment and the one veterinarian authorized for each artillery regiment shall have the rank, pay, and allowances of second lieutenants, mounted. Such number of veterinarians as the Secretary of War may authorize shall be employed to attend animals pertaining to the quartermaster's or other departments not directly connected with the cavalry and artillery regiments, at a compensation not exceeding \$100 per month; and there shall be a chief veterinarian with the rank, pay, and allowances of a major, who shall be attached to the Quartermaster-General's Department.

Mr. GALLINGER. I ask that the proposed amendment be divided. It relates to two entirely different subjects.

The PRESIDENT pro tempore. The question is on agreeing to the first amendment offered by the Senator from New Hampshire. [Putting the question.] The yeas seem to have it.

Mr. PETTIGREW. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment was rejected.

Mr. GALLINGER. Let the question be taken on the second amendment.

The PRESIDENT pro tempore. The Senator from New Hampshire offers an amendment to the last part of the section, which will be stated.

The SECRETARY. Add at the end of section 16, page 30, the following:

And there shall be a chief veterinarian with the rank, pay, and allowances of a major, who shall be attached to the Quartermaster-General's Department.

Mr. GALLINGER. I will withdraw that amendment, the former amendment having been rejected.

The PRESIDENT pro tempore. The amendment is withdrawn.

Mr. GALLINGER. I offer another amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Insert the following as a new section:

SEC. —. That all licenses which have been granted by military or other authority for the establishment of liquor saloons in the Philippine archipelago are hereby revoked and annulled, and hereafter no such licenses shall be granted, and the importation of beer, wine, and distilled spirits into said archipelago is hereby prohibited.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. GALLINGER and Mr. TELLER called for the yeas and nays; and they were ordered.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from New Hampshire.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the Senator from Indiana [Mr. FAIRBANKS].

Mr. HEITFELD (when his name was called). I again announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. MARTIN (when his name was called). I am paired with the senior Senator from Illinois [Mr. CULLOM], and I withhold my vote. If he were present, I should vote "nay."

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from Indiana [Mr. BEVERIDGE]. If he were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. I would vote "nay" if he were present.

The roll call having been concluded, the result was announced—yeas 23, nays 43; as follows:

YEAS—23.

Allen,	Deboe,	Harris,	Taliaferro,
Bacon,	Dillingham,	Jones, Ark.	Teller,
Bard,	Frye,	Lodge,	Tillman,
Berry,	Gallinger,	McCumber,	Towne,
Clay,	Hale,	Mallory,	Turley.
Daniel,	Hansbrough,	Sullivan,	

NAYS—43.

Aldrich,	Elkins,	Mason,	Sewell,
Allison,	Foraker,	Morgan,	Shoup,
Baker,	Foster,	Penrose,	Simon,
Bate,	Hanna,	Perkins,	Spooner,
Burrows,	Hawley,	Pettus,	Stewart,
Caffery,	Kean,	Platt, Conn.	Thurston,
Carter,	Kenney,	Pritchard,	Turner,
Chilton,	Kyle,	Proctor,	Warren,
Clark,	Lindsay,	Quarles,	Wellington,
Culberson,	McLaurin,	Hawkins,	Wetmore.
Dolliver,	McMillan,	Scott,	

NOT VOTING—21.

Beveridge,	Fairbanks,	McEnery,	Quay,
Butler,	Heitfeld,	Martin,	Vest,
Chandler,	Hoar,	Money,	Wolcott.
Cockrell,	Jones, Nev.	Nelson,	
Cullom,	McBride,	Pettigrew,	
Depew,	McComas,	Platt, N. Y.	

So the amendment was rejected.

Mr. LODGE. I offer the amendment which I send to the desk.

Mr. McCOMAS. I wish to state, Mr. President—

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment, which will be read.

The SECRETARY. Insert as a new section the following:

SEC. —. That the importation or sale of distilled spirits into the Philippine Islands, or their dependencies, except for medicinal purposes or for use in the arts, under regulations to be prescribed by the Commissioners of the United States, is hereby prohibited.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Massachusetts [Mr. LODGE].

Mr. TELLER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. COCKRELL. Now, let the amendment be read again. The PRESIDENT pro tempore. The amendment will be again read.

The Secretary again read the amendment.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I again announce my pair with the senior Senator from Indiana [Mr. FAIRBANKS].

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT].

Mr. PETTIGREW (when his name was called). I again announce my pair with the junior Senator from Indiana [Mr. BEVERIDGE]. If that Senator were present, I should vote "yea."

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. If he were present, I would vote "nay."

The roll call having been concluded, the result was announced—yeas 23, nays 41; as follows:

YEAS—23.

Allen,	Frye,	Kyle,	Taliaferro,
Bard,	Gallinger,	Lodge,	Teller,
Berry,	Hale,	McComas,	Tillman,
Clay,	Hansbrough,	McCumber,	Towne,
Deboe,	Harris,	Mallory,	Turley.
Dillingham,	Jones, Ark.	Sullivan,	

NAYS—41.

Aldrich,	Elkins,	Penrose,	Simon,
Allison,	Foraker,	Perkins,	Spooner,
Baker,	Foster,	Pettus,	Stewart,
Bate,	Hanna,	Platt, Conn.	Thurston,
Burrows,	Hawley,	Pritchard,	Turner,
Caffery,	Kean,	Proctor,	Warren,
Carter,	Kenney,	Quarles,	Wellington,
Chilton,	Lindsay,	Rawlins,	Wetmore.
Clark,	McLaurin,	Scott,	
Culberson,	McMillan,	Sewell,	
Dolliver,	Morgan,	Shoup,	

NOT VOTING—23.

Bacon,	Daniel,	McBride,	Pettigrew,
Beveridge,	Depew,	McEnery,	Platt, N. Y.
Butler,	Fairbanks,	Martin,	Quay,
Chandler,	Heitfeld,	Mason,	Vest,
Cockrell,	Hoar,	Money,	Wolcott.
Cullom,	Jones, Nev.	Nelson,	

So the amendment was rejected.

Mr. GALLINGER. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to insert the following as a new section:

SEC. —. That all licenses which have been granted, by military or other authority, for the establishment of liquor saloons in the Philippine Archipelago are hereby revoked and annulled, and hereafter no such licenses shall be granted.

Mr. GALLINGER. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the senior Senator from Indiana [Mr. FAIRBANKS].

Mr. PETTIGREW (when his name was called). I again announce my pair with the Senator from Indiana [Mr. BEVERIDGE]. I should vote "yea" if he were present.

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. If he were present, I should vote "nay."

The roll call having been concluded, the result was announced—yeas 20, nays 41; as follows:

YEAS—20.

Allen,	Frye,	Jones, Ark.	Sullivan,
Bacon,	Gallinger,	Lodge,	Taliaferro,
Bard,	Hale,	McComas,	Teller,
Berry,	Hansbrough,	McCumber,	Towne,
Clay,	Harris,	Mallory,	Turley.

NAYS—41.

Aldrich,	Foraker,	Penrose,	Simon,
Allison,	Foster,	Perkins,	Spooner,
Baker,	Hanna,	Pettus,	Stewart,
Bate,	Hawley,	Platt, Conn.	Thurston,
Burrows,	Kean,	Pritchard,	Turner,
Caffery,	Kenney,	Proctor,	Warren,
Carter,	Kyle,	Quarles,	Wellington,
Chilton,	Lindsay,	Rawlins,	Wetmore.
Clark,	McLaurin,	Scott,	
Dolliver,	McMillan,	Sewell,	
Elkins,	Morgan,	Shoup,	

NOT VOTING—23.

Beveridge,	Deboe,	McBride,	Platt, N. Y.
Butler,	Depew,	McEnery,	Quay,
Chandler,	Dillingham,	Martin,	Tillman,
Cockrell,	Fairbanks,	Mason,	Vest,
Culberson,	Heitfeld,	Money,	Wolcott.
Cullom,	Hoar,	Nelson,	
Daniel,	Jones, Nev.	Pettigrew,	

So the amendment was rejected.

Mr. MONEY. I ask to have a vote upon the amendment I

offered, to restore all the words in brackets in newly numbered section 17, on page 30, and to strike out the words in roman letters. If the amendment should be adopted, it would restore the text of the bill as it came from the other House, with 55 members of the Pay Corps.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 30, in newly numbered section 17, line 11, before the word "paymasters," it is proposed to strike out "three" and insert "four;" in the same line, after the word "colonel," to insert "and assistant paymaster-general, five" and to strike out "four;" in line 13, after the word "lieutenant-colonel," to insert "and deputy paymaster-general, twenty" and strike out "nine;" and in line 14, after the word "twenty," to strike out "seven" and insert "five;" so as to read:

That the Pay Department shall consist of 1 Paymaster-General with the rank of brigadier-general, 4 paymasters with the rank of colonel and assistant paymaster-general, 5 paymasters with the rank of lieutenant-colonel and deputy paymaster-general, 20 paymasters with the rank of major, and 25 paymasters with the rank of captain.

Mr. MONEY. I ask for the yeas and nays on the amendment. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the senior Senator from Indiana [Mr. FAIRBANKS].

Mr. VEST (when his name was called). I am paired with the Senator from Minnesota [Mr. NELSON]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. CULBERSON (after having voted in the negative). I inquire if the junior Senator from Wisconsin [Mr. QUARLES] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CULBERSON. I have a general pair with that Senator, and therefore will withdraw my vote.

The result was announced—yeas 18, nays 38; as follows:

YEAS—18.

Bacon,	Hanna,	Pritchard,	Thurston,
Bate,	McCumber,	Scott,	Towne,
Clark,	Mallory,	Shoup,	Wellington.
Clay,	Mason,	Stewart,	
Elkins,	Perkins,	Taliaferro,	

NAYS—38.

Aldrich,	Dillingham,	Lindsay,	Sewell,
Allen,	Dolliver,	Lodge,	Spooner,
Allison,	Foraker,	McComas,	Sullivan,
Baker,	Frye,	McLaurin,	Teller,
Bard,	Gallinger,	McMillan,	Tillman,
Berry,	Hansbrough,	Morgan,	Turley,
Carter,	Harris,	Pettus,	Turner,
Chilton,	Hawley,	Platt, Conn.	Wetmore.
Cockrell,	Kean,	Proctor,	
Deboe,	Kyle,	Rawlins,	

NOT VOTING—31.

Beveridge,	Depew,	Kenney,	Platt, N. Y.
Burrows,	Fairbanks,	McBride,	Quarles,
Butler,	Foster,	McEnery,	Quay,
Caffery,	Hale,	Martin,	Simon,
Chandler,	Heitfeld,	Money,	Vest,
Culberson,	Hoar,	Nelson,	Warren,
Cullom,	Jones, Ark.	Penrose,	Wolcott.
Daniel,	Jones, Nev.	Pettigrew,	

So the amendment was rejected.

Mr. MCCOMAS. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 21, line 16, after the word "That," it is proposed to strike out "all vacancies created or caused by this section shall be filled, as far as possible, by promotion according to seniority of officers of the Inspector-General's Department," and in lieu thereof insert "promotions to vacancies above the grade of major, created or caused by this act, shall be made, according to the rules of seniority, from officers now holding commission in the Inspector-General's Department. Vacancies created or caused by this act in the grade of major may be filled by appointment of officers who have held commission as inspector-general of volunteers since April 21, 1898."

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Maryland [Mr. MCCOMAS].

The amendment was rejected.

Mr. BATE. I call for a vote on the amendment I offered in regard to the rights of the volunteer soldier after he shall have returned. I ask that the amendment may be read.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 40, section 24, line 9, after the word "Army," it is proposed to insert:

And this right shall not be denied to any volunteer who has been or may hereafter be honorably discharged from service in the United States Army.

The amendment was rejected; there being on a division—aye 19, noes 34.

Mr. LODGE. I move to amend, on page 46, line 2, by striking out the words "pay, and allowances" and inserting in line 3 a new sentence after the words "Regular Army." I send the amendment to the desk. It is the same amendment that was adopted on the motion of the Senator from Wisconsin.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 46, line 2, before the words "as authorized," it is proposed to strike out "pay, and allowances," and in line 3, after the word "Army," to insert:

The pay, rations, clothing, and allowances to be authorized for the enlisted men shall be fixed by the Secretary of War and shall not exceed those authorized for the Regular Army.

The amendment was agreed to.

Mr. BACON. I offer an amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 12, in section 2, beginning in line 17, it is proposed to strike out:

Provided, That the President, in his discretion, may increase the number of corporals in any troop of cavalry to 8, and the number of privates to 76.

Mr. BACON. If the Chair will permit a suggestion, there are three amendments of identical character, each relating to a separate branch of the service, authorizing the President to increase in each branch. I think those three amendments might very well be acted upon at one time. That only is true of the first, second, and fourth amendments. The third amendment is one which authorizes the Secretary of War to make an increase. I think that should be voted upon separately; but the first, second, and fourth are identical in character, simply relating to separate arms of the service.

The PRESIDENT pro tempore. The amendments will be stated.

The SECRETARY. On page 12, section 2, line 17, it is proposed to strike out:

Provided, That the President, in his discretion, may increase the number of corporals in any troop of cavalry to 8 and the number of privates to 76.

On page 16, section 3, beginning in line 13, it is proposed to strike out:

Provided, That the President, in his discretion, may increase the number of privates in any company of foot artillery to 85 and the number of privates in any battery of field artillery to 133.

It is further proposed to amend on page 19, renumbered section 6, beginning in line 4, by striking out:

Provided, That the President, in his discretion, may increase the number of sergeants in any company of infantry to 6, the number of corporals to 10, and the number of privates to 127.

The PRESIDENT pro tempore. The question is on the amendments submitted by the Senator from Georgia, which will be treated as one amendment.

Mr. BACON. I call for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I again announce my pair with the senior Senator from Indiana [Mr. FAIRBANKS].

Mr. HEITFELD (when his name was called). I again announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

The roll call having been concluded, the result was announced—yeas 22, nays 43; as follows:

YEAS—22.

Allen,	Clay,	Kennedy,	Tillman,
Bacon,	Cockrell,	Mallory,	Towne,
Bate,	Culberson,	Pettus,	Turley,
Berry,	Daniel,	Rawlins,	Turner,
Caffery,	Harris,	Taliaferro,	
Chilton,	Jones, Ark.	Teller,	

NAYS—43.

Aldrich,	Foraker,	Lodge,	Scott,
Allison,	Poster,	McComas,	Sewell,
Baker,	Frye,	McCumber,	Shoup,
Bard,	Gallinger,	McLaurin,	Simon,
Burrows,	Hale,	McMillan,	Spooner,
Carter,	Hanna,	Mason,	Stewart,
Clark,	Hansbrough,	Perkins,	Thurston,
Deboe,	Hawley,	Platt, Conn.	Warren,
Dillingham,	Kean,	Pritchard,	Wellington,
Dolliver,	Kyle,	Proctor,	Wetmore,
Elkins,	Lindsay,	Quarles,	

NOT VOTING—22.

Beveridge,	Heitfeld,	Money,	Quay,
Butler,	Hoar,	Morgan,	Sullivan,
Chandler,	Jones, Nev.	Nelson,	Vest,
Cullom,	McBride,	Penrose,	Wolcott,
Depew,	McEnery,	Pettigrew,	
Fairbanks,	Martin,	Platt, N. Y.	

So the amendment was rejected.

Mr. BACON. I offer the amendment which I send to the desk.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Senator from Georgia offers an amendment, which will be stated.

The SECRETARY. On page 16, line 19, it is proposed to strike out the following:

And provided, That the enlisted strength of each company of foot artillery or battery of field artillery may be fixed, under the direction of the Secretary of War, according to the requirements of the service to which it may be assigned.

The amendment was rejected.

Mr. DANIEL. On page 44, line 25, after the words "commissioned officers," I move to insert the words "or enlisted men;" and in line 2, page 45, I move to insert the same words after the words "commissioned officers."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 25, page 44, after the word "officers," it is proposed to insert "or enlisted men;" and after the word "officers," in line 2, page 45, it is proposed to insert "or enlisted men;" so as to read:

The squadron and battalion staff officers, and first and second lieutenants of companies, shall be selected from the noncommissioned officers or enlisted men of the Regular Army of not less than two years' service, or from officers or noncommissioned officers or enlisted men serving, or who have served, in the volunteers during or since the war with Spain.

The amendment was agreed to.

Mr. DANIEL. I move to insert what I send to the desk as an independent amendment, to come in before the last section of the bill.

The PRESIDING OFFICER. The Senator from Virginia offers an amendment, which will be stated.

The SECRETARY. After section 37 of the bill it is proposed to insert the following as a new section:

The President of the United States shall have the power, notwithstanding any provision of this act, to promote any officer of the Army to any vacancy in the next highest rank, and any enlisted man to a vacant second lieutenancy, for distinguished bravery in the face of the enemy in any action hereafter occurring.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Virginia.

Mr. DANIEL. On that I ask for the yeas and nays.

The yeas and nays were not ordered.

The amendment was rejected.

Mr. KENNEY. I offer the amendment I send to the desk.

The PRESIDING OFFICER. The Senator from Delaware offers an amendment, which will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That opposition to the United States being now only scattered in its form in the Philippine Islands, a guerrilla character of warfare, the necessity for an increased military force is made temporary, the increase in the Army should be temporary and purely for foreign service, a colonial army, not to be continued in the service longer than needed; therefore, to meet the present exigencies of the military service the President is hereby authorized to maintain the Regular Army as it now exists, under the act of March 2, 1899, at a strength of not exceeding 65,000 enlisted men, to be distributed among the several branches of the service, including the Signal Corps, according to the needs of each, and raise a force of not more than 35,000 men for service in the insular possessions of the United States, to be recruited as he may determine from the country at large or from the localities where their services are needed, without restriction as to citizenship or educational qualifications, and to organize the same into not more than 30 regiments, to be organized as in the act of March 2, 1899: *Provided*, That such increased regular and volunteer force shall continue in service only during the necessity therefor, and not later than June 3, 1904. On and after that date all the general, staff, and line officers appointed to the Army under this act shall be discharged and the members restored in each grade to those existing at the passage of this act, and the enlisted force of the line of the Army shall be reduced to the number as prescribed by the law prior to April 1, 1898, exclusive of such additions as were made by act of March 2, 1899, to the artillery, and except cadets provided for by said act of March 2, 1899: *And provided further*, That no officer who has been, or may be, promoted under existing law or under the rules of seniority shall be disturbed in his rank.

The amendment was rejected.

Mr. McCUMBER. I offer the amendment I send to the desk.

The PRESIDING OFFICER. The Senator from North Dakota offers an amendment which will be stated.

The SECRETARY. After the word "mounted," in line 3, page 30, section 16, it is proposed to insert the following words:

And the sum of \$1,800 per annum after five years' service.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. KENNEY. Let it be again stated.

The amendment was again stated.

Mr. KENNEY. May we ask what print the Secretary is reading from? Is it the print of January 10?

The PRESIDENT pro tempore. It is. The paragraph as proposed to be amended will be read.

The Secretary read as follows:

That the grade of veterinarian of the second class in cavalry regiments, United States Army, is hereby abolished, and hereafter the two veterinarians authorized for each cavalry regiment and the one veterinarian authorized for each artillery regiment shall receive the pay and allowances of second lieutenants, mounted, and the sum of \$1,800 per annum after five years' service.

The amendment was rejected.

The PRESIDENT pro tempore. The bill is still open to amendment. If there be no further amendments, the question is on agreeing to the amendment of the House of Representatives as amended by the Senate.

Mr. BERRY. If that is agreed to will it dispose of the bill?

Mr. COCKRELL. No. We will now vote on the final passage.

Mr. BERRY. The bill has already passed the Senate, I ask the Chair—

The PRESIDENT pro tempore. The question just put to the Senate was, Will the Senate agree to the amendment of the House of Representatives as amended?

Mr. COCKRELL. I did not so understand it. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. BERRY. If that is agreed to, there will be no further vote taken on the bill.

The PRESIDENT pro tempore. There will not be.

Mr. BACON. I rise to a parliamentary inquiry. As I understand it, the parliamentary status is this: The Senate passed the original bill and sent it to the House. It has come back from the House with an amendment in the nature of a substitute, upon which the Senate has ingrafted certain amendments. When we agree to the amendment—

Mr. BURROWS. As amended.

Mr. BACON. As amended, it is the same thing as voting upon the final passage of the bill if it were in its original stage.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. BUTLER (when his name was called). I am paired with the senior Senator from Indiana [Mr. FAIRBANKS]. If he were present, he would vote "yea" and I should vote "nay."

Mr. HEITFELD (when his name was called). I again announce my pair with the senior Senator from New York [Mr. PLATT]. If he were present, I should vote "nay."

Mr. SPOONER (when Mr. HOAR's name was called). The Senator from Massachusetts [Mr. HOAR] is detained from the Senate by illness, and he requested me to pair with him on the final vote. If he were present, as I understand, he would vote "nay," as he voted "nay" on the original passage of the bill, and I should vote "yea."

Mr. TOWNE (when Mr. MONEY's name was called). I have been requested by the Senator from Mississippi [Mr. MONEY], who has been called away, to announce that he is paired with the Senator from Oregon [Mr. McBRIDE] and to state that if the Senator from Mississippi were present and free to vote, he would vote "nay."

Mr. PETTIGREW (when his name was called). I am paired on this question with the junior Senator from Indiana [Mr. BEVERIDGE]. If he were present, I should vote "nay."

Mr. BERRY (when Mr. VEST's name was called). The Senator from Missouri [Mr. VEST] is paired with the Senator from Minnesota [Mr. NELSON]. If the Senator from Missouri were present, he would vote "nay."

The roll call having been concluded, the result was announced—yeas 43, nays 23; as follows:

YEAS—43.

Aldrich,	Foster,	McComas,	Quarles,
Allison,	Frye,	McCumber,	Scott,
Bard,	Gallinger,	McLaurin,	Sewell,
Burrows,	Hale,	McMillan,	Shoup,
Carter,	Hanna,	Mason,	Simon,
Clark,	Hansbrough,	Morgan,	Stewart,
Deboe,	Hawley,	Penrose,	Sullivan,
Dillingham,	Kean,	Perkins,	Thurston,
Dolliver,	Kyle,	Platt, Conn.	Warren,
Elkins,	Lindsay,	Pritchard,	Wetmore.
Foraker,	Lodge,	Proctor,	

NAYS—23.

Allen,	Clay,	Kenney,	Tillman,
Bacon,	Cockrell,	Mallory,	Towne,
Bate,	Culberson,	Pettus,	Turley,
Berry,	Daniel,	Rawlins,	Turner,
Caffery,	Harris,	Taliaferro,	Wellington.
Chilton,	Jones, Ark.	Teller,	

NOT VOTING—21.

Baker,	Fairbanks,	Martin,	Spooner,
Beveridge,	Heitfeld,	Money,	Vest,
Butler,	Hoar,	Nelson,	Wolcott.
Chandler,	Jones, Nev.	Pettigrew,	
Cullom,	McBride,	Platt, N. Y.	
Depew,	McEnery,	Quay,	

So the amendment of the House of Representatives as amended by the Senate was agreed to.

Mr. HAWLEY. I move that the Senate request a conference with the House of Representatives on its amendment as amended by the Senate.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate, and Mr. HAWLEY, Mr. PROCTOR, and Mr. COCKRELL were appointed.

Mr. HAWLEY. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Saturday, January 19, 1901, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 18, 1901.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

REVENUE-CUTTER SERVICE.

Mr. HEPBURN. I ask unanimous consent that the bill (H. R. 5499) to promote the efficiency of the Revenue-Cutter Service may be made the special order to follow the bill now pending as a special order—the Post-Office bill; this to be a continuing order until the bill is finally disposed of, but not to interfere with appropriation bills, District of Columbia business, with claims, with pension matters, or with conference reports.

The SPEAKER. The gentleman from Iowa asks unanimous consent that House bill 5499, being a bill to promote the efficiency of the Revenue-Cutter Service, be made a continuing order after the disposition of the bill yesterday under consideration, known as a bill to revise and codify the postal laws; this order, however, not to interfere with appropriation bills, with conference reports, with the business of Fridays, or with District of Columbia business. Is there objection?

Mr. UNDERWOOD. I do not wish to seem captious in this matter, but I have always been opposed to this bill. I think it will largely increase the expenses of the Government without improving the Revenue-Cutter Service. For that reason I have always objected to it heretofore. In objecting now I simply renew the objection which I made in former Congresses.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] objects.

LEAVE OF ABSENCE FOR GOVERNMENT EMPLOYEES.

Mr. MUDD. I ask unanimous consent for the present consideration of the bill (H. R. 4728) providing for leaves of absence to certain employees of the Government.

The bill was read, as follows:

Be it enacted, etc. That each and every employee of the navy-yards, gun factories, naval stations, and arsenals of the United States Government be, and is hereby, granted thirty working days' leave of absence each year without forfeiture of pay during such leave: *Provided*, That it shall be lawful to allow pro rata leave to those serving fractional parts of a year: *And provided further*, That in all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed without detriment to the service, and that absence on account of sickness shall be deducted from the leave hereby granted.

The following amendments, reported by the Committee on Naval Affairs, were read:

In line 4 strike out the words "and arsenals."

In line 5, in lieu of the word "thirty," insert the word "fifteen."

In line 8, after the word "leave," insert the word "only;" and strike out, in same line, the words "fractional parts of a year" and insert the words "twelve consecutive months or more."

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. GLYNN. I wish to inquire whether the word "arsenals" is included in this bill?

The SPEAKER. One of the amendments proposes to strike out that word.

Mr. GLYNN. I should like to know what is included—what employees are to get this vacation?

The SPEAKER. The gentleman from Maryland [Mr. MUDD] will answer the question.

Mr. ROBINSON of Indiana. I hope the gentleman will make some explanation. There are so many amendments that we do not understand the effect of the bill.

Mr. MUDD. Mr. Speaker, I will gladly give the explanation which is desired. The bill as originally introduced provided for leave of absence for thirty days with pay for employees in the navy-yards of the country, including naval stations and arsenals. The bill as amended contemplates a leave of only fifteen days; and it is provided further that any days of absence on account of sickness shall be deducted from this leave; in other words, the number of days any employee may be sick will reduce by just so many days this proposed leave of absence with pay.

I find that one of the amendments of the committee proposes to strike out the word "arsenals." I do not myself quite know what was the reason of the committee in making that amendment unless, on account of the fact that arms and ammunitions are kept at the arsenals, it was considered unwise for employees to absent themselves at all. So far as that amendment is concerned, I have no special objection to leaving in the word "arsenals," if that be considered proper by the House.

I would like to say that employees of the navy-yards of the country are perhaps the only Government employees who have no leave of absence with pay at all. It is well known to members of the House that employees of the various Executive Departments have not only the ordinary leave with pay, but a sick leave of thirty days; and all employees of the other branches of the Government have a leave varying from fifteen to thirty days with pay, most of